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COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

**INVESTIGATIVE REPORT REGARDING SEPTEMBER 5, 2018
COMPLAINT OF MRS. SOFIA Y. BALTAZAR AGAINST MR. JESUS GONZALEZ**

November 7, 2018

Prepared by:

**Margaret A. Chidester
Katelyn R. Desbrow
Leslie J. Kim
Attorneys / Investigators
Law Offices of Margaret A. Chidester & Associates**

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I. EXECUTIVE SUMMARY

At the request of Superintendent Dr. Edwin Gomez, the Law Offices of Margaret A. Chidester & Associates conducted a neutral and confidential investigation pursuant to District Board Policy and Administrative Regulation No. 1312.1 regarding “Complaints Concerning School Personnel” into Mrs. Sofia Yolanda Baltazar’s (“Mrs. Baltazar”) complaint received on September 5, 2018 against Coachella Valley Unified School District (“CVUSD”) Board member Mr. Jesus Gonzalez.

Mrs. Baltazar claimed that Mr. Gonzalez violated the trustee code of conduct and improperly interfered with school staff and administration when he allegedly exhibited unprofessional behavior during a meeting at Coachella Valley High School (“CVHS”) on August 31, 2018 with a student and his family regarding the student’s grade in her AP Spanish Literature class.¹

The evidence shows an unpleasant and heated exchange between Mrs. Baltazar and Mr. Gonzalez on August 31, 2018. Mr. Gonzalez admittedly raised his voice responding to Mrs. Baltazar’s raised voice.

Although Mrs. Baltazar believes that Mr. Gonzalez threatened her District employment, the evidence does not demonstrate such a threat. Rather, he voiced criticism as to her competency as a teacher. As of this writing, there is no evidence whatsoever that either Mr. Gonzalez, the Board of Education, or the District administration has sought the resignation of Mrs. Sofia Y. Baltazar or has initiated the process to adopt dismissal charges against her.

The investigators found evidence that both Mrs. Baltazar and Mr. Gonzalez engaged in inappropriate conduct during the August 31, 2018 meeting.

Below is a summary of the investigation, factual findings, and disposition of Mrs. Baltazar’s complaint.

II. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE INVESTIGATION

On September 5, 2018, the District received Mrs. Baltazar’s complaint against Mr. Jesus Gonzalez, CVUSD Board member. The complaint included written statements by her adult daughters and CVHS teachers Bargaining Unit Member No. 1 and Bargaining Unit Member No. 2. Mrs. Baltazar’s complaint is attached hereto and incorporated herein as **Exhibit A**. Bargaining

¹ On September 6, 2018, the Student’s Sister submitted a formal complaint against Mrs. Baltazar, alleging that the grade she issued the Student was erroneous because she did not credit him for assignments he submitted to a substitute teacher during the last weeks of the 2017-2018 school year when Mrs. Baltazar was on leave. Because the legal standard for a grade change is not relevant to Mrs. Baltazar’s allegations against Mr. Gonzalez, that analysis is not contained in this report. An investigative report on that complaint will be provided to the Student’s family and to Mrs. Baltazar. Although Mrs. Baltazar’s complaint overlaps to some extent with the Student’s Sister’s, her complaint is addressed in this separate report which is not provided to the Student’s family in order to protect her privacy and that of Mr. Gonzalez.

Unit Member No. 1's statement is attached as **Exhibit B**. Bargaining Unit Member No. 2's statement is attached as **Exhibit C**.

In her September 5, 2018 complaint, Mrs. Baltazar alleged:

- “This is a formal complaint regarding the inappropriate, rude, threatening tactics and unprofessional behavior I witnessed from Mr. Jesus Gonzalez in a meeting I attended last Friday, August 31, 2018.”
- Mr. Gonzalez attended the meeting with the Student, the student's sister and mother, CVHS Principal Mr. Sanchez, Assistant Principal Mrs. Sanchez, and Mrs. Baltazar to discuss the student's grade of F in her AP Spanish Literature class for the Spring 2018 semester.
- Mrs. Baltazar stated “I was verbally attacked, bullied, insulted and disrespected by Mr. Jesus Gonzalez, CVUSD board member.”
- Mrs. Baltazar alleged, “Mr. Gonzalez threatened to fire me. When I told him I had been teaching for 43 years, he replied, ‘And you are still teaching? I will make sure you won't teach here anymore.’ He told her, “You have no heart. You should not be teaching!”

III. INVESTIGATIVE PROCESS AND PROCEDURES

CVUSD Board Policy No. 1312.1, regarding “Complaints Concerning School Personnel,”² states:

“The Governing Board accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

...

In addition, the Board wishes to make clear that it is bound by the limitations set forth in Government Code 54957, which states that when specific complaints or charges are to be made against a district employee, such employee has the right to have such

² Although Mr. Gonzalez is an elected officer of the District and not an employee, Section 3 of the policy applies this complaint process to board members as well as to District employees.

complaints heard in closed session and to be given prior notice that such complaints will be heard by the Board. Therefore, members of the public who wish to lodge complaints against district employees are reminded that the Board cannot properly consider such complaints without giving prior notice to the named employee.”

CVUSD Administrative Regulation No. 1312.1, regarding “Complaints Concerning School Personnel,” provides, in relevant part:

“The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel, and/or other district procedures.

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints against district employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal.
3. All complaints related to district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to a Board member or to the Superintendent shall be initially filed in writing with the Board.
4. When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements.
5. A written complaint must include:
 - a. The name of each employee involved,

- b. A brief but specific summary of the complaint and the facts surrounding it, and
- c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.

7. The complainant may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.

8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not be limited to:

- a. The full name of each employee involved.
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a defense.
- c. A copy of the signed original complaint.
- d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons.

9. The Board may uphold the Superintendent's decision without hearing the complaint.

10. All parties to a complaint may be asked to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.

11. A closed session may be held to hear the complaint in accordance with law.

12. The decision of the Board shall be final.”

The procedures in Board Policy No. 1312.1 and Administrative Regulation No. 1312.1 are appropriate for this investigation because the complaint concerns a District Board member. CVUSD Board Policy No. 1312.1 and Administrative Regulation No. 1312.1 are attached as **Exhibit D** and **Exhibit E**, respectively, and incorporated by this reference.

IV. SUMMARY OF EVIDENCE

The complaints of Mrs. Baltazar and the Student's Sister were investigated simultaneously because their allegations pertain to the same nexus of facts regarding the Student's grade in Mrs. Baltazar's Spring 2018 AP Spanish Literature class at CVHS. To investigate the complaints, twenty witnesses were interviewed and documentary evidence was collected in September and October 2018. The following evidentiary summaries are not intended to be verbatim accounts of the interviews.

1. Interview of the Student

The Student was interviewed on September 13, 2018 at CVHS. The Student is currently a senior at CVHS. He was enrolled in Mrs. Baltazar's fourth period AP Spanish Literature class during the 2017-2018 school year. He has not taken any other classes from Mrs. Baltazar.

The Student maintained a 4.6 GPA prior to the second semester of the 2017-2018 school year, plays varsity baseball, and has been student body class president two years in a row. The Student's transcript dated October 2, 2018 is attached as **Exhibit F** and incorporated herein by reference.

During the school year, Mrs. Baltazar praised the Student in front of other students on several occasions. She used his essays as an example to the class of proper formatting. On one occasion, she opined that he and another student named Student No. 1 would likely score a five out of five on the AP exam.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature Class

Mrs. Baltazar's class required reading and analyzing Spanish language short stories and poems by famous authors. Mrs. Baltazar required students to complete assignments related to each author, including a thinking map, annotation of the work, class notes, comprehension questions, and a four paragraph essay. Mrs. Baltazar required most assignments to be handwritten in pen because the AP test must be handwritten.

For each author, students were required to place the essay, thinking map, annotation, notes, and comprehension questions into one manila folder or "carpeta." The cover of each carpeta had to be decorated with a picture of the author, a flag and map of the author's home country, and images representing symbolism found in the author's work or works. This imagery could be printed from the internet. Students were not required to draw the images by hand on the folders.

Students received points for each of the assignments and the decoration of the folders when they submitted the carpetas at the end of the unit on the author. The majority of the work throughout the school year consisted of these carpetas. Mrs. Baltazar did not grade students' carpetas until the very end of the quarter, leaving students guessing about their grades in her class. When students expressed concern for their grade, she stated, "You will be fine if you do the work."

The Student received high marks for all carpetas he submitted during the third quarter as shown in Assignments 1 through 30 on his Aeries "Student Assignments" page for Mrs. Baltazar's class. The Student's Aeries "Student Assignments" page is attached and incorporated herein as **Exhibit G**.

Prior to the AP Spanish Literature exam on May 2, 2018, Mrs. Baltazar told students during class that she would allow extra time to submit the remaining carpetas so students could focus on studying for the AP exam. She stated that the carpetas must be submitted by June 1, 2018, the last day of the school year. He believes this was approximately 18 carpetas. She expected students to complete the essays, annotation, notes, comprehension questions, and thinking maps for each author as they studied them in class, but postponed the due date for the carpetas to allow students extra time to decorate the folders. Her intent was for students to focus on writing the essays because the AP exam consists of essay-writing.

As Mrs. Baltazar suggested, the Student kept up with the writing assignments as they discussed each author in class. He took the AP exam on May 2, 2018, for which he received a passing score of four. See **Exhibit F**. Between May 3, 2018 and May 24, 2018, he worked on decorating his carpetas. He often worked in the library in the mornings before school started, printing out material to decorate his carpetas. Library Staffer No. 1 saw him working in the library many mornings. The Student sometimes worked on the carpetas at his sister's house. On one occasion, she drove him to Walmart late at night because he needed printer ink.

At the end of the second semester, students were assigned an oral presentation (assignment #68), a tri-fold poster board including an analysis of a short story (#69), and a poem (#70) of their choice. The Student received grades of 85%, 90%, and 100% for these projects. See **Exhibit G**. Mrs. Baltazar required students to recite a poem of their choosing in Spanish in front of the class in May 2018 (#71). The Student does not dispute the grade of 70% for his recitation because he was very nervous and stuttered as he read the poem aloud. The Student received a grade of 100% for his required community service (#72.)

Mrs. Baltazar was absent from approximately May 23, 2018 to June 1, 2018 due to a medical procedure. A young, male substitute teacher taught Mrs. Baltazar's class for several days at the end of the school year. The Student does not recall the substitute teacher's name. Students completed their oral presentations, tri-fold boards, and poem recitations before she left for her surgery. The dates associated with these projects on the student assignments page do not reflect the actual due dates.

The Student was absent from fourth period on Thursday, May 24, 2018 and Friday, May 25, 2018 because he was in the ASB office distributing caps and gowns to graduating seniors. Mrs. Baltazar signed off on the Student's release prior to her absence.

The Student submitted all his fourth quarter carpetas on May 24, 2018 after school at approximately 2:05 pm in Mrs. Baltazar's classroom. He submitted approximately 18 folders. He identified these carpetas as assignments 31 through 67 on the Aeries Student Assignments page. See **Exhibit G**. The young, male substitute teacher saw the Student place his carpetas on a student desk near the front of the classroom with other fourth period carpetas. The student desk was used throughout the school year for collection of carpetas. No one other than the substitute teacher was present. The substitute teacher was leaving the classroom as the Student turned in his assignments. He stated words to the effect of "you're good" when the Student placed the folders on the desk. The Student submitted his carpetas early because he had work to do for other classes. He wrote his name on all of the folders and each assignment.

A student named Student No. 5 called Mrs. Baltazar at home on her cell phone during the last week of school requesting an extension past June 1, 2018 to submit carpetas. A group of female students requested this extension. A student named Student No. 7 told the Student that Mrs. Baltazar agreed to the extension. He is unsure how students submitted their work to her after school ended.

During the fourth quarter, Mrs. Baltazar did not input any grades for the carpetas or final projects. Thus, the Student was unable to view his grade or progress in the class on Aeries from mid-March 2018 until he received his final grade in mid-June 2018. Because he submitted all assignments for the fourth quarter, the Student expected to receive mid-90%, an A, in Mrs. Baltazar's class for the second semester.

Complaint to CVHS Administration Regarding the Student's AP Spanish Literature Grade

When the Student received his final grade of an F in mid-June 2018, he was shocked. He informed his sister immediately explaining that there was a mistake.

Because he did not have Mrs. Baltazar's email address or phone number, the Student emailed his counselor, Bargaining Unit Member No. 4, who did not respond to the Student's email. The Student has little contact with Bargaining Unit Member No. 4. Subsequently, his sister contacted Principal Mr. Sanchez during the summer about the Student's grade. Mr. Sanchez told them they could not speak to Mrs. Baltazar until the start of the new school year. The Student was very stressed about his erroneous grade for the entirety of the summer break because it would affect his college applications and scholarships.

On or about the third day of the 2018-2019 school year, August 20, 2018, the Student went to Mrs. Baltazar's classroom to speak to her about his grade. She was sitting at her desk when he entered her classroom. Two other students were present. Mrs. Baltazar did not give him an opportunity to discuss the grade. She interrupted him, repeatedly saying "no." She stated that

the Student passed the AP exam so he shouldn't worry about his grade in the class. She shoed him out of her classroom and began talking to another student.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

The Student attended the meeting on August 31, 2018 with his mother, sister, and Mr. Jesus Gonzalez. Although Mr. Gonzalez is not his blood relative, he attended the meeting to support the Student because their families are from the same small area of Mexico. He refers to him as uncle. They met with Principal Mr. Art Sanchez, Assistant Principal Ms. Socorro Sanchez, and Mrs. Baltazar.

The Student said good afternoon to Mrs. Baltazar but she did not greet him. Mrs. Baltazar did not shake his sister's hand when she extended it.

Mr. Gonzalez spoke first, asking Mrs. Baltazar if she recognized the Student and if she remembers him submitting work for her class. Mrs. Baltazar responded that the Student did not turn in the work.

Mrs. Baltazar repeatedly stated that the Student did not submit the missing assignments. She spoke directly to the Student, stating that he was a "mentiroso" or liar. She repeatedly pointed her finger at him and raised her voice as she spoke. She called him lazy. Mrs. Baltazar spoke in Spanish throughout the meeting.

Mr. Gonzalez became upset because Mrs. Baltazar was pointing at the Student. He asked her to stop pointing at the Student. At this point, the meeting escalated. Mr. Gonzalez raised his voice in reaction to Mrs. Baltazar raising hers. He asked her why a kid who worked hard his whole life would wake up one day and decide not to do any work.

The Student does not recall Mr. Gonzalez stating to Mrs. Baltazar words to the effect of "you have no heart" or "you should not be teaching here." Mr. Gonzalez was very upset by Mrs. Baltazar's statements about the Student.

Mrs. Baltazar offered to change the Student's grade to a D because of her failure to provide him notice of the possible failing grade during the semester.

The Student explained that he submitted multiple assignments in manila folders to the substitute teacher for Mrs. Baltazar's class the week before school ended. He reported that Library Staffer No. 1 and Library Staffer No. 2 saw him working on Mrs. Baltazar's assignments in the library in the mornings before school started. Mrs. Baltazar responded that those two people were "nobody."

When Mrs. Baltazar stated that a cover of one of his carpetas was "raquitico" or sloppy, the Student's Sister pointed out that the Student received good grades on all of his previous carpetas submitted in the beginning of the semester.

When Mr. Gonzalez pointed out the Student's score of four out of five on the AP Spanish Literature exam, Mrs. Baltazar responded that he "got lucky." Mr. Sanchez explained that the Student could not have received his high score based merely on luck because the essay-based exam did not test students on their understanding of the Spanish language, but on their ability to analyze Spanish literature. Mrs. Baltazar repeated that the Student got lucky.

Mrs. Baltazar stated that she did not look for the Student's work because he didn't turn it in. Mr. Gonzalez suggested she look for the work in her classroom.

Toward the end of the meeting, Mrs. Baltazar offered to allow the Student to complete the thirty-seven missing assignments within two weeks. He declined because he previously submitted the assignments and he would not be able to complete almost three months of work in two weeks while completing work for his current classes.

Mrs. Baltazar's daughter entered the meeting room without knocking and directed her mother to leave, which she did. Mr. Sanchez stated that he could not change the grade and that only Mrs. Baltazar could do so. The Student cried after the meeting ended because he felt helpless.

The Student believes that Mrs. Baltazar lost his fourth quarter assignments, which resulted in his erroneous grade. He believes this is likely because a student named Student No. 2 reported that Mrs. Baltazar once lost his assignments. She later found them.

Mrs. Baltazar has a reputation for waiting until the last minute to input grades. The Student showed the investigators a video of his Aeries page that he took on March 18, 2018, the day before the end of the grading period for the third quarter. The video showed he had zero percent in her class although he submitted all his carpetas because Mrs. Baltazar had not entered any grades during the quarter. When students asked Mrs. Baltazar about updating the class grades, she often stated words to the effect of, "Don't worry about it. I'll fix it when I have time." She eventually graded all of his assignments and assigned the Student an A for his third quarter progress report.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

Before the Student took Mrs. Baltazar's class, he heard that she prefers female students over male students. He took her class because he wanted to take the AP exam. The Student was one of only two male students in fourth period. The other male student was often absent.

Mrs. Baltazar discussed the concept of "machismo" in Mexican culture during class. During this discussion, Mrs. Baltazar asked the Student if he wants a virgin or a woman with experience when he gets married. She repeated her question but the Student sat quietly without responding until the bell rang. Mrs. Baltazar also asked the other male student in the class the same question. Female students teased him after class. Student No. 7, who sat next to the Student, spoke to him after class, agreeing that Mrs. Baltazar's question was inappropriate.

On another occasion in class, Mrs. Baltazar explained that men historically rode horses in Mexico. She asked the Student if he rode horses. When he stated that he did not, Mrs. Baltazar stated words to the effect of “you’re not really a man” because he does not ride horses. He did not respond.

The Student did not report either of Mrs. Baltazar’s comments because he did not want to “make a big deal out of it.” If a student made a remark, Mrs. Baltazar was likely to “call you out more often.”

Allegations of Bullying by CVHS Students

A student named Student No. 9 recently transferred to CVHS from Shadow Hills High School at the beginning of the 2018-2019 school year. Since he transferred, Student No. 9 has posted on social media about his rank as the top student in the senior class. Other students are aware of the Student’s previous ranking as the top student since his freshman year at CVHS because he has discussed it with others. Many students talk about their grades with each other.

During the 2018-2019 school year, Student No. 9, Student No. 10, and Student No. 11 started giving the Student a “hard time” because Student No. 9 is now the top student. The Student used to be friends with them. The Student took a photograph of his phone displaying Student No. 10’s social media post showing Student No. 9’s ranking as the top student in the Student’s class. Student No. 10 is friends with Student No. 9. The Student believes Student No. 10 intended his post to be seen by the top ten students in the school, knowing it would upset them. The Student used his mother’s phone to take the picture of his phone because he did not want to screenshot the post, which would have alerted Student No. 10 that he took the screenshot.

The Student recently viewed a Snapchat “story” from Student No. 9 which included a picture of a student looking confused above the caption “When you get knocked down a rank.” This “story” was sent to Student No. 9’s “friends” on Snapchat. The photograph of the Student’s phone with Student No. 9’s Snapchat story is attached as **Exhibit H**.

The Student and Student No. 9 are enrolled in a calculus class together. On one occasion during the first week of September 2018, Student No. 10 and Student No. 11, clapped and looked at the Student when Student No. 9 correctly answered a question in class, making fun of him because he is no longer the top student.

On one recent occasion, the Student received a mysterious call to his cell phone while he was at his sister’s house. The anonymous caller asked if the Student was on the line, laughed, and hung up. The Student and the Student’s Sister heard a loud sound as if an object had hit the house. A blue car sped away from the house before they could identify the persons in the vehicle.

The Student’s friend, Student No. 8, is currently ranked number two in the Student’s class. He and his father met with school administration to discuss their concern with Student No. 9’s transfer to CVHS in his senior year, apparently to attain the rank of valedictorian. Student

No. 9 has an unfair advantage because his former high school offered more AP classes than CVHS. Student No. 8 told the Student they must “just deal with it” when he explained that they could not prevent Student No. 9’s transfer.

Credibility of the Student

The Student was credible. His testimony regarding Mrs. Baltazar’s requirements for the missing assignments matched that of Mrs. Baltazar. He was calm and forthcoming during the interview. He did not appear anxious nor hesitant to answer the investigator’s questions regarding his submission of the carpetas. A student who was interviewed after the Student, Student No. 1, reported that the Student asked her to send a text message to Mrs. Baltazar on May 29, 2018 to confirm she received his carpetas he submitted on May 25, 2018. Student No. 1’s text message evidence corroborates the Student’s report that he submitted folders on or about May 25, 2018. See **Exhibit O**.

2. Interview of the Student’s Sister and the Student’s Mother

The Student’s Sister and the Student’s Mother were interviewed on September 13, 2018 at CVHS. The Student’s Sister translated for her mother when the investigator asked her questions.

Complainant’s Report to CVHS Administration Regarding the Student’s Grade

When the Student received his second semester grades in mid-June 2018, he immediately contacted the Student’s Sister, reporting that his failing grade in Mrs. Baltazar’s class was a mistake because he submitted all of the required assignments in manila folders for her class. He was crying on the phone.

The Student’s Sister saw the Student working on Mrs. Baltazar’s assignments while at her house on several occasions during the second semester. The Student used her exacto blades, cutting boards, and rulers to cut out printed pictures of authors, flags, and other pictures that described the literature for Mrs. Baltazar’s class. He is a perfectionist. The Student’s Sister corroborated the Student’s account of their trip to Walmart at 8:00 pm because he ran out of printer ink.

The Student is an excellent student, achieving the top rank in his class for three years while playing varsity baseball and acting as student body class president two years in a row.

The Student’s Sister directed the Student to immediately email his teacher, his counselor, and the principal about the erroneous grade. When the Student did not receive a response, the Student’s Sister contacted Principal Mr. Sanchez in late June 2018 requesting to discuss the Student’s grade with Mrs. Baltazar. Mr. Sanchez directed the Student’s Sister to follow up with him in August after Mrs. Baltazar returned to school following her medical leave and the summer break. The Student’s Sister’s email correspondence with Mr. Sanchez dated June 21, 2018 and August 1, 2018 is attached and incorporated herein as **Exhibit I**.

The Student's Sister emailed Mr. Sanchez regarding the Student's grade on August 1, 2018. Upon receiving no response by August 21, 2018, she contacted Superintendent Dr. Edwin Gomez's office. Mr. Sanchez called the Student's Sister on August 22, 2018, explaining that he had not responded to her email because he and Ms. Sanchez were in the process of reviewing Mrs. Baltazar's records.

The Student reported to the Student's Sister of his unsuccessful attempt to discuss his grade with Mrs. Baltazar at the beginning of the 2018-2019 school year. Shortly thereafter, Ms. Sanchez scheduled a meeting with the Student's family and Mrs. Baltazar on August 31, 2018 to discuss the Student's grade.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

The Student's Sister corroborated the Student's report of the August 31, 2018 meeting. Mrs. Baltazar did not greet or make eye contact with her or her mother. Mr. Gonzalez spoke first, asking Mrs. Baltazar if she remembered the Student in her class.

Mrs. Baltazar verbally attacked the Student, calling him lazy and a liar. While she spoke, she pointed her finger at him and raised her voice. She did not look at anyone else. She was upset at the Student. Mrs. Baltazar stared straight at the Student, pointing her finger at him, stating, "You didn't do it. You're lying. You didn't do it." She continued to point at the Student after Mr. Gonzalez asked her to stop pointing at him.

The Student's Sister felt Mrs. Baltazar's conclusions about the Student failing to do the assignments were unwarranted because the Student is a disciplined, hard-working student. Mrs. Baltazar claimed the Student turned in only three assignments and called his work "raquitico" or sloppy. However, the Student received an A in the first semester of Mrs. Baltazar's class and an A on his third quarter progress report. His record shows he received 85 to 100 percent on all assignments he submitted to Mrs. Baltazar for his carpetas during the third quarter. See **Exhibits F and G**.

Mrs. Baltazar stated that the Student was absent often. However, the missing assignments were due on the last day of school, not the days he was absent during the semester. Mrs. Baltazar brought her physical gradebook with the Student's grades to the meeting, but did not show it to the Student's Sister. Mrs. Baltazar was unprofessional throughout the meeting. The Student's Sister was unable to ask her specific questions about the allegedly missing assignments.

When the Student reported that Library Staffer No. 1 saw him working on Mrs. Baltazar's assignments in the library in the mornings before school started, Mrs. Baltazar stated in Spanish that Library Staffer No. 1 "is no one."

Mr. Gonzalez questioned why Mrs. Baltazar never contacted the Student about his missing assignments, explaining that a reasonable teacher would have spoken to the student upon noticing the abrupt change in his school work. Mr. Gonzalez told Mrs. Baltazar words to the

effect of, “You don’t care about your students. If you did, you would have reached out to [the Student] at least.” He suggested it was very unlikely that a student who previously received an A in the class and submitted all assignments would submit no assignments for approximately three months.

Mrs. Baltazar did not provide her rationale for concluding that the Student did not submit all fourth quarter assignments, given his previous success in the class. She continued to state that the Student did not complete his assignments. Mr. Gonzalez raised his voice because Mrs. Baltazar raised hers. He was upset that she stated the Student did not do the work.

The Student’s Sister asked Mrs. Baltazar why she questioned the Student’s sexual preference, referring to his report that she asked him “whether he would prefer a virgin or a woman with experience” in class. Mrs. Baltazar did not respond to her question.

When Mrs. Baltazar offered to assign the Student a D because of her failure to provide him adequate notice of his failing grade, the Student’s Sister and Mr. Gonzalez stated that a D would not be fair because the Student had submitted all the required assignments for the quarter.

Mr. Sanchez attempted to reason with Mrs. Baltazar during the meeting. However, he told the Student’s family and Mr. Gonzalez that he believes the Student but that he cannot change the grade because only Mrs. Baltazar has the authority to do so. Ms. Sanchez did not say much during the meeting.

Mrs. Baltazar walked out of the meeting with her daughter without saying anything. The Student began to cry at the end of the meeting. He was very stressed because he hopes to receive a scholarship for college. His dream is to attend the University of Southern California. The Student intended to apply for the Bill Gates scholarship on September 18, 2018, which pays the full amount of college tuition. Her father is retired and has a heart condition. His parents have very little income and live in a trailer park. The Student is relying on his good grades to obtain a scholarship because he will need tuition assistance to attend any university.

Mr. Sanchez provided the Student’s Sister a copy of the Student’s Student Assignments page, showing the missing assignments at the end of the meeting. He spoke kindly of the Student and offered to write a letter of recommendation for him when he applied to colleges. The meeting ended without resolution.

The Student’s Sister believes that Mrs. Baltazar misplaced the Student’s assignments. It is also possible that the substitute teacher may not have delivered the Student’s assignments to her.

The Student’s Sister stated that Mrs. Baltazar may have assigned the Student an erroneous grade in bad faith because she has “something personal” against him. She is unsure why Mrs. Baltazar is prejudiced against the Student.

Mr. Gonzalez told the Student's Sister that Mrs. Baltazar filed a complaint against him after the August 31, 2018 meeting. The Student's Sister opined that Mr. Gonzalez was merely trying to defend the Student during the meeting because Mrs. Baltazar's conclusion that the Student, the top ranked student in his class, did none of the required classwork is illogical.

The Student told the Student's Sister that another student in Mrs. Baltazar's class who is a top student received a C in her class. The Student's Sister believes students have not come forward about Mrs. Baltazar's grading because they are scared of her.

She is concerned about her brother because he cries often at home and is very stressed. Previously, the Student was a "happy kid."

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

The Student reported to the Student's Sister that he was embarrassed by Mrs. Baltazar's two inappropriate comments to him during class ("Would you prefer a virgin or a woman with experience?" and "You're not man enough.") The Student did not report any other inappropriate comments by Mrs. Baltazar.

Allegations of Bullying by CVHS Students

The Student's Sister understood from the Student's reports that students, including Student No. 9, were posting on social media about Student No. 9's rank as the top student in the senior class. She could not provide details of the photographs she provided. She suggested the investigators question the Student about the photograph because he provided it to her. The Student's Sister corroborated the Student's report of the mysterious call to his cell phone while at her house.

The student currently ranked number two in the Student's class and his father met with school administration to discuss their concern with Student No. 9's transfer to CVHS in his senior year, apparently to attain valedictorian. The Student's Sister did not recall the student's name. The student ranked number two told the Student they must "just deal with it" when he explained that they could not prevent Student No. 9's transfer. The Student never reported that this student bullied him.

Credibility of the Student's Sister and the Student's Mother

The Student's Sister and the Student's Mother were credible. They both became emotional when discussing the negative impact they felt Mrs. Baltazar's erroneous grade will have on the Student's future, including his applications for scholarships and universities.

The Student Sister's Post-Interview Correspondence to Dr. Gomez and the Investigators

On October 4, 2018, the Student's Sister sent email correspondence to Dr. Gomez, Ms. Desbrow, Mr. Sanchez, and Dr. Josie Paredes, Assistant Superintendent of Educational Services

reporting that CVHS teacher Bargaining Member No. 3 declined to write a letter of recommendation for the Student based on his conduct toward Mrs. Baltazar during the August 31, 2018 meeting. She questioned whether Bargaining Member No. 3's conduct constitutes retaliation. The Student's Sister's email correspondence dated October 4, 2018 is attached as **Exhibit J**. The Student's written incident report provided to Mr. Sanchez on October 5, 2018 is attached as **Exhibit K**.

Bargaining Member No. 3 was interviewed on October 15, 2018 regarding the Student's Sister's report and a summary of her interview is included in this report. (See Interview Summary No. 10.) She confirmed that she declined to write the Student a letter of recommendation because she believes the Student and his family treated Mrs. Baltazar inappropriately during the meeting on August 31, 2018. Bargaining Member No. 3 did not participate in the meeting. She gave vague testimony about her source of the information relating to the August 31, 2018 meeting. Although letters of recommendation are voluntary, Bargaining Member No. 3's conduct appears to be retaliatory because she determined not to write the Student a letter of recommendation based on one party's account of the Student's and his uncle's conduct during the August 31, 2018 meeting in spite of the fact that she issued the Student a grade of A in both semesters of her class and he was a well-behaved, model student.

3. Interview of Mr. Arthur Sanchez

Mr. Arthur Sanchez was interviewed on September 13, 2018 at CVHS. Mr. Sanchez became Principal of CVHS on October 2, 2017. Prior to coming to CVUSD, he held teaching and administrative positions, including assistant principal, in Palm Springs Unified School District for approximately sixteen years.

Mr. Sanchez is familiar with the Student, who is senior class president and a member of the baseball team.

Complainant's Report to CVHS Administration Regarding the Student's Grade

The Student contacted Mr. Sanchez via phone in mid to late June 2018, reporting that the grade he received in Mrs. Baltazar's AP Spanish Literature class for the second semester of the 2017-2018 school year is incorrect. He stated that he submitted multiple assignments in folders to the substitute teacher in Mrs. Baltazar's classroom shortly before the end of the school year. Mr. Jesus Gonzalez joined the Student's phone call with Mr. Sanchez, stating he was the Student's uncle and that the Student's failing grade in Mrs. Baltazar's class was a travesty.

Mr. Sanchez agreed to investigate the Student's concern. He performed a cursory search of Mrs. Baltazar's room for the Student's folders but did not find them. He did not search through any drawers or closed cabinets.

Mr. Sanchez corroborated the Student's Sister's report of their communication during the summer regarding the Student's grade. He did not communicate with Mrs. Baltazar at that time

because teachers are not required to respond during summer break and she was recovering from a recent surgery.

Mr. Sanchez reviewed the Student's Aeries student assignments page for the spring semester of Mrs. Baltazar's class. He found it perplexing that the Student completed all assignments and received high grades until approximately March, after which it appeared that he submitted no work for an extended period of time. See **Exhibit G**.

During the summer, Mr. Sanchez learned that the Student received a score of four on the AP exam for AP Spanish Literature, which is a passing score that allows him to receive college credit for the course. He opined that the Student's four on the AP exam shows mastery of the subject matter.

Mr. Sanchez heard from other staff members that AVID Coordinator Bargaining Unit Member No. 5 reported that the Student told her that he asked a custodian to open Mrs. Baltazar's classroom door and then placed his work inside. This report was inconsistent with the Student's original report that he submitted his work to the substitute teacher. Mr. Sanchez did not speak with Bargaining Unit Member No. 5.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

A meeting was scheduled with Mrs. Baltazar, the Student, the Student's Sister, the Student's Mother, Mr. Jesus Gonzalez, and Assistant Principal Ms. Socorro Sanchez on August 31, 2018 to discuss the Student's grade in Mrs. Baltazar's class.

On August 31, 2018, Mr. Sanchez and Ms. Sanchez met with Mrs. Baltazar in the Principal's conference room before the Student's family and Mr. Gonzalez joined the meeting. Mr. Sanchez explained to Mrs. Baltazar that the Student's records show she did not send a notice to the Student of his failing grade before the end of the semester, which is required by state law. Additionally, Mrs. Baltazar did not communicate verbally with the student, the AVID coordinator, or administration regarding the Student's failing grade. Mrs. Baltazar acknowledged that she failed to send the required notice of his failing grade during the semester and willingly agreed to change his grade from an F to a D.

During the meeting with the Student's family and Mr. Gonzalez, the Student reported that he completed all of the allegedly missing assignments and submitted them to the substitute teacher in Mrs. Baltazar's class. He reported that many of the assignments were handwritten. Although he worked on class assignments in the library in the mornings, he did not save his work so it could not be recovered from the Google drive.

The Student stated that Library Staffer No. 1 often saw him working in the library. Subsequently, Mr. Sanchez confirmed with Library Staffer No. 1 that the Student worked in the library in the mornings during the 2017-2018 second semester. However, she did not see the assignments he was working on.

Mr. Sanchez attempted to discuss the Student's previous success in the class and his high AP exam score with Mrs. Baltazar which showed mastery of the subject. He believes that grades should reflect mastery of the subject matter, not just completion of required tasks. He did not direct Mrs. Baltazar to change the Student's grade to higher than a D because he believes he does not have authority to do so under the law. Instead of engaging in a discussion, she repeatedly stated that the Student did not complete the required assignments.

Mr. Sanchez recalled the Student's Sister's report during the meeting that she drove the Student to Walmart late one night to buy supplies for Mrs. Baltazar's class during the second semester.

Mrs. Baltazar repeatedly responded that the Student did not complete the required assignments. She pointed at the Student when speaking. Mrs. Baltazar stated that the Student "got lucky" by receiving a score of four. Mr. Sanchez stated that the Student's four on the AP exam indicated his mastery of the subject.

Mr. Gonzalez and Mrs. Baltazar both became upset during the meeting. Mr. Gonzalez became upset at Mrs. Baltazar's remarks about the Student. He pointed his finger at Mrs. Baltazar and stated words to the effect of "You have no heart!" He stated that Mrs. Baltazar should not be teaching because of her negative effect on students. He was loud. Mr. Gonzalez did not state that he was a Board member.

Mrs. Baltazar raised her voice, stating that the student should not receive a higher grade because he did not complete the work. As Mr. Gonzalez spoke, Mrs. Baltazar became quiet and stared down at the table. At one point, Mr. Gonzalez asked her to look at him when he spoke.

The Principal's Secretary reported later that she could hear loud voices from her office outside of the Principal's conference room. Mrs. Baltazar may have interpreted Mr. Gonzalez's statements about her employment as threats because Mr. Gonzalez is a member of the CVUSD Board, which has authority over personnel matters.

Mr. Sanchez attempted to deescalate the meeting multiple times without success. When Mr. Sanchez stated words to the effect of, "Wait, let's refocus," Mr. Gonzalez stated, "Be quiet, Art."

Towards the end of the meeting, Mrs. Baltazar agreed to allow the student two weeks to complete the missing assignments. The Student declined the offer stating that he had already completed those assignments and was very busy with his other classes.

Bargaining Unit Member No. 1, Mrs. Baltazar's daughter and also a CVHS Spanish teacher, entered the conference room during the meeting and stated, "Mom, let's go" to her mother. She looked at Mr. Gonzalez and stated, "Shame on you. We elected you." Because the meeting was no longer productive, Mr. Sanchez directed Mrs. Baltazar to leave with her daughter. He asked Ms. Sanchez to leave the meeting to check on Mrs. Baltazar.

Before the meeting concluded, Mr. Sanchez explained to the Student's family and Mr. Gonzalez again his belief that he cannot change a student's grade without approval from the teacher.

Mr. Sanchez believes that the Student's high score on the AP exam, his grade of an A for the first semester of the class, and his number 1 class ranking support a finding that the Student is telling the truth about submitting the assignments to the substitute teacher.

Mr. Sanchez also reported that Mrs. Baltazar's students score high on AP exams, demonstrating her effectiveness as a teacher. She cares about her students. He has seen her become emotional at the death of one of her students.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

During the August 31, 2018 meeting, complainants reported inappropriate comments by Mrs. Baltazar to the Student during the school year. The Student's family, Mr. Gonzalez, and Mrs. Baltazar began speaking Spanish when they discussed the alleged comments. Mr. Sanchez did not understand all of their exchange.

Neither the Student nor his parents reported to Mr. Sanchez prior to the August 31, 2018 meeting that Mrs. Baltazar made any inappropriate comments.

Allegations of Bullying by CVHS Students

The Student has never reported to Mr. Sanchez that he felt bullied by students at school. He did not mention this during the meeting on August 31, 2018. To his knowledge, the Student is a well-liked student.

Credibility of Mr. Sanchez

Mr. Sanchez was a credible witness. His frank testimony reflected respect for teachers at his site and regard for CVHS students.

4. Interview of Mrs. Sofia Yolanda Baltazar

Mrs. Sofia Yolanda Baltazar was interviewed on September 20, 2018 at CVHS. Mrs. Baltazar's Association representative, Ms. Carissa Carrera, was also present.

Mrs. Baltazar's Education Experience

Mrs. Baltazar has been employed as a teacher in the language department of CVHS for approximately thirty-one years. Prior to her employment with CVUSD, she worked as a teacher, vice principal of a secondary school, and principal of an elementary school in Mexico over the course of twelve years.

She has taught Spanish III, AP Spanish Language, and AP Spanish Literature at CVHS for many years. The Student was enrolled in her AP Spanish Literature class during the 2017-2018 school year.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature Class

Mrs. Baltazar began including carpetas in her curriculum after she attended a conference for AP teachers several years ago. She reported that more of her students pass the AP exam than students of other teachers.

Mrs. Baltazar required students to submit various assignments related to authors in decorated manila folders called "carpetas." When Mrs. Baltazar first introduced an author to the class, students read the author's biography. Next, students completed a thinking map, also called a circle map about the author using a worksheet she provided. Students also wrote a summary of the author's biography, completed a thinking map about the narrative or poem, analyzed and annotated the narrative or poem, and answered comprehension questions from the textbook.

Subsequently, students were required to write a first and final draft of an essay regarding the author. Mrs. Baltazar taught students the proper format for the essays at the beginning of the school year. Each essay must include an introductory paragraph, three body paragraphs, and a conclusion. She required the first draft to be handwritten and the final draft to be typed. Students were required to show that they proofread their first draft. Each student gave their first draft to another student to sign. Mrs. Baltazar supervised as students read each other's essays.

Students were required to decorate a manila folder with pictures of the author, a map where he/she was born, a flag of his/her country, and symbolism from the author's narrative or poem. For example, students were required to find the similes and metaphors in poems studied in class. Mrs. Baltazar directed students to write the poem's similes and metaphors on the back side of the folder for that author. All the assignments students completed for a single author would be placed inside the decorated folder and submitted to Mrs. Baltazar when they finished studying the author.

A complete carpeta was due one or two days after students finished the final essay. Mrs. Baltazar usually gave students a week's notice of the deadline for the complete carpeta.

Generally, the same assignments were completed for each author they studied. Mrs. Baltazar assigned an additional thinking map or other assignment for some authors depending on the literary work. The class spent three weeks on some authors and three days on others. Students were aware of the requirements for carpetas by the second semester because she introduced carpetas at the beginning of the school year.

Mrs. Baltazar stamped assignments in class daily. The stamp indicated students completed the work on time. Students kept their stamped work until they submitted all assignments for an author together in a carpeta.

Mrs. Baltazar accepted late carpetas, taking points off for tardiness. All assignments included in a carpeta, including the final essay, were graded at the same time. Completed carpetas are organized in her classroom by author and class period.

Mrs. Baltazar often divided the points for a single carpeta into multiple grades on the Aeries Student Assignments page. See **Exhibit G**. For example, the essay for the work by author Antonio Machado was worth 50 class points. The essay itself was assignment number 31 in the Aeries Student Assignments page. The other assignments for Antonio Machado were worth 100 points and identified as assignment number 32. Thus, the complete Antonio Machado carpeta was worth a total of 150 points. The due dates listed on the Aeries Student Assignments page do not necessarily reflect the true due date for the assignments.

Students could ask Mrs. Baltazar if they missed a carpeta because she recorded each folder she received in her personal gradebook. She did not enter grades online until the end of the grading period.

When questioned about her directions to students about completing carpetas during the fourth quarter, Mrs. Baltazar stated that students should know which assignments they are missing without having to be told.

Mrs. Baltazar's account of her requirements for the oral presentation, tri-fold board, poem recitation, and community service (assignment numbers 68 to 72 in **Exhibit G**) matched the Student's account.

Mrs. Baltazar stated that her classroom is colorful and contains many cultural objects. It is so full she cannot find an empty spot.

Collection of Carpetas After the AP Exam

In Mrs. Baltazar's class, students are required to study the literary works of thirty-eight to forty authors. The authors they study in class are determined by the College Board.

To prepare students for the AP exam, Mrs. Baltazar aimed to finish all required course readings and complete practice tests before the exam in early May. During the second semester prior to May 2018, the class had not studied all the required readings. Based on their progress, Mrs. Baltazar and students feared that they would not have sufficient time to complete the readings and adequately prepare for the AP exam. Because she and the students were very stressed about their limited time for exam preparation, Mrs. Baltazar postponed her collection of carpetas until the end of the school year. This allowed students to work on the smaller assignments for carpetas including circle maps and decoration of the carpetas after the AP exam. She did not recall the date she gave this announcement.

During exam preparation, students were required to complete the essays for each author. Mrs. Baltazar did not grade these essays until she received the carpetas at the end of the year. Students also performed practice essays in class in preparation for the AP exam.

Many of her students were very stressed during the second semester before May because they were preparing for other AP exams at the same time. Mrs. Baltazar opined that students who did not continue to complete assignments as they normally would while preparing for the AP exam would have difficulty completing the carpetas after the AP exam because it was a substantial amount of work.

Mrs. Baltazar was absent from May 20, 2018 to the end of the school year due to a medical procedure. The Substitute Teacher taught her classes in her absence. Mrs. Baltazar described the Substitute Teacher as very responsible. She texted him daily to give him direction regarding all her classes.

Students turned in carpetas throughout the fourth quarter, including to the Substitute Teacher during the last two weeks of the school year when Mrs. Baltazar was absent. Mrs. Baltazar directed the Substitute Teacher to leave the carpetas students submitted for AP Spanish Literature on her desk near the white board because she intended to collect them at a later date.

Despite her surgery, Mrs. Baltazar drove to CVHS on Saturday, June 2, 2018 and collected students' carpetas from her classroom to grade them. Mrs. Baltazar firmly denied that any one else removed carpetas from her classroom prior to June 2, 2018.

Some of her students requested additional time to submit carpetas after Friday, June 1, 2018. Mrs. Baltazar granted the extension. Student No. 4 collected students' folders and her father drove her to Mrs. Baltazar's house on Sunday, June 3, 2018 to deliver students' carpetas. Mrs. Baltazar submitted her grades online on Monday or Tuesday of the next week.

The Student's AP Spanish Literature Grade

The Student did well on essays in Mrs. Baltazar's class. She told the Student that he was capable of achieving a five on the AP exam. Mrs. Baltazar stated that the Student is intelligent, but not responsible. She did not use the Student's essays as an example in class because she has "better students than him."

The Student performed poorly when reciting his short poem in class during the second semester. See Assignment #71 on **Exhibit G**. Her grade of 70 out of 100 points for the Student's recitation was fair. When questioned about the Student's recitation, Mrs. Baltazar volunteered that the Student thinks that "everything he does is the best."

Mrs. Baltazar did not send the Student's parents the required notice of a failing grade at the end of the third quarter because he had a C at that time.

She was surprised when she discovered that the Student was missing multiple carpetas resulting in a failing grade because he "isn't that kind of student." Mrs. Baltazar confirmed that all of the assignments the Student did not submit (Assignments 31 to 67 listed in **Exhibit G**) were carpetas. She could not recall when the missing folders were assigned.

She received approximately three carpetas from the Student at the end of the school year. He submitted a few carpetas to Mrs. Baltazar in person toward the end of the semester. Subsequently, he submitted a few more to the Substitute Teacher when she was absent. Mrs. Baltazar searched her classroom for the Student's work when she graded student work at the end of the semester.

Students who were absent from class were required to meet with Mrs. Baltazar to determine what assignments he/she missed. The Student was often absent beginning in April 2018 because he plays on the CVHS baseball team. He never approached Mrs. Baltazar about assignments he missed when absent. When he attended class toward the end of the school year, he did not participate and appeared "lost" during class discussions.

Mrs. Baltazar believes that the Student did not keep up with the assignments throughout the quarter and, consequently, could not complete the carpetas by the last day of school. The Student never requested an extension.

She also opined that the Student believes he deserves a better grade in her class because he did well on the AP exam. However, a student's performance on the AP exam is separate from the grade they receive for her class.

Like the Student, many of her students were missing multiple carpetas at the end of the school year. One of her students received an F in her class but scored a five on the AP exam. Unlike the Student, the student accepted responsibility for not completing her work and did not blame Mrs. Baltazar for her grade.

The Student came to her classroom requesting a better grade at the beginning of the 2018-2019 school year. She refused because it would not be fair to other students. When asked what reason the Student gave for requesting the grade change during their encounter, Mrs. Baltazar did not directly respond to the question. She stated, "He just left."

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

Administrators Mr. Sanchez and Ms. Sanchez informed Mrs. Baltazar that the purpose of the meeting on August 31, 2018 was to discuss the Student's grade in her class with the student and his family.

Mrs. Baltazar met with Mr. Sanchez and Ms. Sanchez in the Principal's conference room on August 31, 2018 before the meeting with the Student's family and Mr. Jesus Gonzalez began. Mr. Sanchez explained the rules regarding grades and directed Mrs. Baltazar that she could not assign the Student an F because of her failure to provide him a Notice of Possible Failure during the semester. The Student had a C in March when Mrs. Baltazar was required to send his progress report. Although Mrs. Baltazar was not required to change the Student's grade, she agreed to assign the Student a D.

Mr. Sanchez explained to Mrs. Baltazar that a D would negatively affect the Student's future. Mrs. Baltazar responded that the Student does not deserve a grade higher than a D because he made a choice not to complete his work for the class. She felt it would not be honest or fair to other students to change the Student's grade.

Mr. Gonzalez joined the parent meeting, claiming to be the Student's uncle. Mrs. Baltazar had never met Mr. Gonzalez before the meeting. She has heard from many others that he is not related to the Student. Mr. Sanchez allowed Mr. Gonzalez to remain in the meeting even though he is not the Student's parent.

Mr. Gonzalez began speaking immediately and did not let others speak. He insisted that the Student deserved a better grade because he passed the AP test. Mrs. Baltazar told him that the Student deserves a D according to the rules and laws in California. Mr. Gonzalez screamed at Mrs. Baltazar throughout the meeting, which lasted twenty-five to thirty minutes. The one time she looked at Mr. Gonzalez during the meeting, he appeared visibly angry. He was sweating and his eyes were red. He leaned over the table as he yelled at Mrs. Baltazar. He was "out of control."

Mr. Gonzalez stated that Mrs. Baltazar was a "bad teacher with no heart." When she told him she had been teaching for forty-three years, Mr. Gonzalez stated, "Are you still teaching? I will make sure you won't teach here anymore!" He repeatedly said this in front of the Student. She expressed shock at Mr. Gonzalez's aggressive attitude toward her and his threats to end her employment.

At one point, Mr. Gonzalez said in Spanish words to the effect of, "She isn't looking at me!" to Mr. Sanchez, referring to Mrs. Baltazar. She did not look at Mr. Gonzalez because he was verbally attacking her. She looked at the Student because he was her student and the reason for the meeting.

The Student claimed he turned in all of the missing assignments. He lied to everyone in the conference room. Mrs. Baltazar told him, "Say the truth. You didn't turn in the work," because the Student was frequently absent in April and May 2018 and failed to speak to her about the missed classwork. Mrs. Baltazar does not remember calling the Student "mentiroso" or liar. She explained that if she did use the word "mentiroso," it was not offensive because the Student did not do the work. Her gradebook showing the missing assignments is proof he did not submit the work.

Mrs. Baltazar explained that the Student only turned in a few folders. Mr. Gonzalez immediately demanded that they go to her classroom and search for the Student's missing work. Mrs. Baltazar usually speaks with confidence. During the meeting, she could not speak because she was so shocked by Mr. Gonzalez's verbal attack.

Mrs. Baltazar did not recall responding to many of his questions because Mr. Gonzalez did not allow anyone else to speak. He interrupted Mrs. Baltazar repeatedly, saying, "You are a bad teacher. You have to give a better grade to the Student. You have no heart."

The Spanish word “raquitico” translates to “thin” or “small.” Mrs. Baltazar does not remember using the word “raquitico” to describe the Student’s submitted work during the meeting. Generally, she has used this word when a student submitted a carpeta without all the required assignments inside it. English and Spanish were spoken during the meeting because all parties speak Spanish.

When she offered to give the Student two weeks to complete the missing assignments, he immediately declined. She believes the Student felt empowered because of Mr. Gonzalez’s alleged statement that he would make sure Mrs. Baltazar was fired. Although Mr. Gonzalez repeatedly stated, “I’m going to make sure you’re not teaching here anymore,” a Board member does not have any right to fire teachers.

The Student’s sister told Mrs. Baltazar she intended to alert the media because “you have to learn.” His mother said very little. She stated, “My son is good.”

Mrs. Baltazar’s adult daughter, Bargaining Unit Member No. 2, heard Mr. Gonzalez yelling from outside the building. She called her other adult daughter, Bargaining Unit Member No. 1, who subsequently entered the conference room and stated, “Mom, let’s go.” Mr. Gonzalez asked, “Who are you?” Bargaining Unit Member No. 1 replied “I’m her daughter.” Then she stated words to the effect of, “We elected you.” Mr. Gonzalez became quiet at that point. Mr. Sanchez directed Mrs. Baltazar to leave with Bargaining Unit Member No. 1.

Mrs. Baltazar’s daughters stayed with her in her classroom until she felt well enough to go home. The Principal’s Secretary brought candy to Mrs. Baltazar because she was concerned about her low blood sugar. Ms. Sanchez also came to Mrs. Baltazar’s classroom to check on her.

Mrs. Baltazar filed a complaint on or about September 2, 2018 regarding Mr. Gonzalez’s alleged disrespectful and inappropriate conduct on August 31, 2018. See **Exhibit A**. She claimed Mr. Gonzalez violated the Trustee code of conduct and improperly interfered with school staff and administration. Her daughters wrote statements, which were submitted with her complaint. See **Exhibits B** and **C**.

Mrs. Baltazar has not yet completed the grade change form to adjust the Student’s grade to a D because she is waiting to hear the outcome of her complaint.

Complaint Regarding Mrs. Baltazar’s Alleged Inappropriate Comments

Mrs. Baltazar discussed the topic of “machismo” in class multiple times because many authors write about it. “Machismo” generally describes the sexist attitude toward women held in Mexico and the United States. She acknowledged that she asked the question “would you prefer a virgin or a woman with experience?” during fourth period. This question was written in one of the literary works they studied in class. She does not recall which one. Mrs. Baltazar initially stated that she posed the question to “everyone.” She next stated that “I don’t remember [if] he [the Student] answered me.” She described the Student as a quiet student.

There were only two male students in the class. The female students were looking at the two boys because they were curious about the boys' answers. The girls in her class are strong, powerful, independent women who intend to go to college.

Mrs. Baltazar denied telling the Student during class that he "wasn't man enough." She may have asked him if he rode a horse because they had a class discussion about a literary work about horse-riding. She discussed the attitude in the story that men had to ride horses to be considered an adult. The Student may have misunderstood her statements during the discussion.

Credibility of Mrs. Baltazar

A large portion of Mrs. Baltazar's testimony was not credible. For example, Mrs. Baltazar failed to report that she communicated with Student No. 1 about the Student's request for confirmation of Mrs. Baltazar's receipt of his folders on or about May 29, 2018.

Mrs. Baltazar volunteered to show the investigators the three folders the Student submitted at the end of the school year to support her testimony. Her representative Ms. Carrera requested that Mrs. Baltazar be provided paper for the copies due to her limited allotment of copy paper. Assistant Principal Ms. Sanchez offered to copy/scan the assignments. Mrs. Baltazar initially provided, but promptly withdrew the documents before they could be copied.

Her testimony about the collection and grading of folders was inconsistent. Mrs. Baltazar stated that she recorded each time she received a carpeta in her personal gradebook. However, she could not have done so when she was absent from May 20, 2018 to June 1, 2018. She did not direct the substitute teacher to record receipt of each carpeta during her absence.

She did not explain the substitute's comments that carpetas were removed from her classroom during her absence. She attested to picking them up only after school was out.

Mrs. Baltazar gave vague testimony about her question "would you prefer a virgin or a woman with experience" in an apparent attempt to avoid acknowledging that she asked male students an inappropriate question. Every fourth period student interviewed, except Student No. 4, corroborated the Student's account of Mrs. Baltazar's question.

Mrs. Baltazar made negative comments about the Student throughout her interview, describing him as irresponsible and egotistical. She consistently described her female students in a positive manner, including one student who failed her class. She did not appear concerned when she volunteered that the student failed her class but scored a five on the AP exam.

5. Interview of Mr. Jesus Gonzalez

Mr. Jesus Gonzalez was interviewed on Tuesday, October 2, 2018. Mr. Gonzalez takes his responsibilities as a member of the Board of Education seriously. He believes that elected officials have an obligation to defend the weakest, the indigent, children, seniors, and people

who are the most fragile. He was a mayor at the young age of 27, and learned that when you hold public office, the more it is about you, the less you are doing your public service. He has always been an advocate for justice even when the cause is unpopular. His father taught him as a child that the only thing you have is your word, to always be honorable, and to always defend those in need.

Although the Student is not a biological relative, he has known the family for many years as they are from the same home town in Mexico as his mother. He has known the Student since birth. Mr. Gonzalez has coached the Student since the Student was a young child. The Student has spent time with his children who were just ahead of him in school. Because he participates in many school activities, the Student has often been around the Gonzalez household.

Mr. Gonzalez is aware that Mrs. Sofia Baltazar filed a complaint about him concerning his conduct at a meeting on August 31, 2018 at CVHS about the Student's grade in AP Spanish Literature.

Mr. Gonzalez had not met Mrs. Baltazar prior to the meeting. Prior to the incident, he has, however, had heard many stories about her, including from his own daughter, who is a third year student at UCLA. His daughter was a participant in ASB activities. This included the construction of the homecoming floats, which took place for three consecutive years in the Gonzalez' yard. Thus, there were often many high school students around his home working on the floats or on other ASB activities. He would hear stories about students who were on track to be the best of the class, who were given a failing grade by Mrs. Baltazar with no discussion and no warning. It was almost as though she was eager to hand out failing grades to see the impact on the lives of the students, who were often the top students in the class.

His son, who now attends the Claremont Colleges, was a CVHS student. Mr. Gonzalez heard from his son who graduated from CVHS in 2018 that some of his friends intensely disliked Mrs. Baltazar.

The Student's AP Spanish Literature Grade

At the end of the spring semester in 2018, the Student said, "I need to see you, Coach." Mr. Gonzalez is an unpaid, volunteer coach for the CVHS baseball team. The Student is a member of the team. The Student stated that his teacher had treated him wrongly because he was given a grade of "F" after doing all of the work in his class. The Student asked Mr. Gonzalez to help him speak with the teacher and try to reason with her. Mr. Gonzalez contacted Principal Sanchez and asked him to arrange a meeting between the family and Mrs. Baltazar. However, the teacher was out ill at the end of the school year. He kept trying to set a meeting during the summer, but the Principal told him essentially that Mrs. Baltazar did not have to meet with him until the new school year started in August 2018. The Student was nervous and worried all summer up until the meeting.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

The Student's Sister called the meeting. She is a college graduate who works at the City of Coachella and speaks for her parents who do not speak English fluently. The Student's Sister invited him to attend the meeting along with the Student's Mother, the Student's Sister, the Student, Principal Sanchez, Administrator Socorro Sanchez, and Mrs. Baltazar.

The meeting began about ten minutes late. When they went into the room, Mr. Sanchez, Ms. Sanchez, and Mrs. Baltazar were there. He heard the end of the conversation where the principal told Mrs. Baltazar that she had not given the Student a notice of possible failure in the class which she was obligated to do. The participants were seated at a long table. Mrs. Baltazar was hunched over, making no eye contact whatsoever when they walked into the room. She did not speak and did not greet anyone. Mr. Gonzalez bent over in his chair with his chin to his chest, demonstrating her demeanor. He said, "She never looked up, she never said good morning, she never acknowledged the mother, she never acknowledged me, she never acknowledged the Student's Sister and/or the Student. We walked in, she is looking at the table and she looks up in this blank stare and said, 'I'm willing to give him a D,' the first thing she said. 'I'm willing to give him a D because I didn't notice him. I didn't tell him.'" Mr. Gonzalez was taken aback by this conduct. He said, "Hello. We are here to discuss the Student's grade. Do you remember the Student?" Mrs. Baltazar responded, "No, he never does his work and he never came to class. I know who he is, he has never done his work and has never come to class."

Mr. Gonzalez started to say that the Student had gotten a grade of almost 100% during the first semester of the school year. Mrs. Baltazar responded that his work was *raquitico*, roughly translated as *sloppy*. Mr. Gonzalez asked Mrs. Baltazar, "Have you looked for his homework? Have you searched everywhere in your office?" Her attitude was that the Student has never done the work so she should not have to look for it. She repeated, "He never turned in the work." He turned to the Student and asked how much work has been handed in. The Student explained that he had finished all of the assignments and had turned them in a week in advance to be sure that he would be given credit. At that point, the Student said, "Mrs. Baltazar, I gave the substitute all of my work because you were not there." Mr. Gonzalez made a motion with his fingers as if to show the thickness of the stack of paper. He stated, "How much was it? Was it this much? Just show me." The Student responded, "Well it was about that much work, Coach." The Student made a motion that approximated an inch of papers. Mr. Gonzalez found out later it was 30 plus assignments. He thought it was odd that she would wait for the last day of class to collect the work.

The Student repeated that he had given all of the work to the substitute. He gave it to the sub, who accepted the work. Mr. Gonzalez asked Mrs. Baltazar given her profession and her responsibility as a teacher to be supportive of student learning, if it was alarming to her that she had an A student who had not turned in the work. He asked whether she had contacted the Student to ask him where his work was. He told her she showed no compassion and that, "We are a better school district than that." He did not raise his voice until Mrs. Baltazar raised her voice first, yelling at the Student, looking only at the Student and waving her index finger at him.

Mrs. Baltazar yelled at the Student, pointed at him, called him a liar and called him lazy. She would not make eye contact with anyone but the Student while she yelled at him.

Mr. Gonzalez asked her to stop pointing at and stop intimidating him. He stated the Student was not a liar. Mrs. Baltazar resumed this conduct about four times, scolding the Student, looking only at him, pointing and yelling. Mr. Gonzalez stated that she had intimidated him enough and that she must stop yelling at him, but she continued.

It was explained that the Student had turned in the 37 assignments early. She stated she had not received any work from him. There was also an oral presentation. She acknowledged that the Student had turned in his final three assignments, but the 34 or so that were missing preceded those assignments. He told her that it didn't make any sense for the Student to turn in the final three assignments but to not turn in the 34 or 37 that preceded the final 3.

After the meeting, Mr. Sanchez went to her room and found the final 3 assignments that the Student had turned in. Mr. Gonzalez did not go to her classroom. He did not initiate the raised voices although he did raise his voice in response to Mrs. Baltazar scolding the Student, who was crying during the meeting. Mr. Sanchez kept repeating, "Well, Mr. Gonzalez, I wish there was something I could do. It is out of my hands."

Mr. Gonzalez said that Mr. Sanchez should not make excuses for Mrs. Baltazar. Mr. Gonzalez asked Mrs. Baltazar how is it that the Student could pass the Advanced Placement Exam for college credit and fail the Advanced Spanish Literature class. The Student had received an A the previous semester. His grade point average was very high and he was at the top of his class. By not grading the assignments he turned in and stating she did not receive them, she was deeply impacting the Student's future and college prospects. He told Mrs. Baltazar, "You are going to have to live with what you are doing because you know it's wrong and you know you're coming from a place of malice." He stated, "That was the heated part of the conversation, I never threatened her job."

Mr. Gonzalez stated, "I believe with great certainty that she had no idea I was a board member. She probably thought I was a family member. It wasn't until her daughter - that again, as awkward as the meeting started, the meeting ended. Basically one of her daughters, and I didn't know who she was, barges into the room and she said something like, 'Is this meeting over?' At the top of her voice and I stood up and said, 'Excuse me ma'am?' I said, 'Who are you?' and she goes, 'That is my mother and this meeting is over' and I said, 'Wait a minute, you are coming in to finish this meeting like this?' and she goes, 'Come on, mom.' And she gets her mom and her mom stands up and leaves the room."

The meeting lasted about twenty to thirty minutes before the daughter ended it abruptly. Ms. Sanchez said very little during the meeting. The Student's Sister spoke and made it very clear that the Student was motivated to do the work, had passed the AP exam, and had been done well in the first semester. Mrs. Baltazar had responded that he had only passed the AP Exam by luck, using the Spanish term for a belly flop.

Mrs. Baltazar never answered what might have happened to the homework. Her attitude was, “you didn’t turn it in.” She never stated that she tried to talk to the substitute teacher about whether the work had been received.

The Student’s Mother said little during the meeting but was clearly upset when Mrs. Baltazar called her son a liar. She said in Spanish words to the effect, “We as mothers know what we have and I can tell you that I know the Student is not a liar.”

Mrs. Baltazar’s daughters are both Spanish teachers at CVHS. After the meeting, an employee at the high school called Mr. Gonzalez, very concerned, because one of the daughters came to the athletic office and stated words to the effect, “I understand that Mr. Gonzalez raised a bunch of money for baseball and stole the money.” According to what Mr. Gonzalez heard, the department person replied to the Baltazar daughter that if it had not been for the money Mr. Gonzalez raised, there would be no money for baseball, and that every penny of the fundraising was accounted for and went directly to the baseball program. The member of the athletic department that reported this incident to Mr. Gonzalez told him, “Jesus, it is not the first time this happens. There’s been many student athletes that have been punished by this teacher.” Mr. Gonzalez believes that Mrs. Baltazar was upset about the Student’s absences from her class for softball games approved by the school even though his absences from class for athletics were excused absences.

Allegations that Mrs. Baltazar’s Job was Threatened

When asked whether Mrs. Baltazar made a statement that she had been teaching for 43 years, and whether he replied, “Are you still teaching, I will make sure you don’t teach anymore. I am a school Board member,” Mr. Gonzalez responded, “I never announced that I was a school Board member. I never said that she will not be teaching. When she referred to her experience, I said, ‘Maybe you have been doing this too long.’ That is the only thing I may have said something like that. But I never said, ‘I’m a school Board member’ – I wouldn’t even tell a person in the street that I am a school Board member, I just don’t do that.” He concluded, “I never threatened her job.”

Reports Regarding Mrs. Baltazar’s Alleged Inappropriate Comments

The Student shared with Mr. Gonzalez that during the school year, a student had been reading some literature about the cowboy’s day. The novel talked about horses. Mrs. Baltazar asked the Student whether he likes horses. He responded yes. She asked whether he owned a horse. The Student said that he didn’t have a place to put a horse. Mrs. Baltazar made a comment to the effect, “You are not a man.” This was in class in front of all the other students. Mr. Gonzalez brought this up to Mrs. Baltazar’s attention during the meeting and asked, “Why would you tell a kid this?”

The second incident was very awkward. One day, almost at the end of class they were reading a book and the teacher asked the Student, “When you get married, do you want a virgin? Or do you want a girl with experience?” This was in class in front of all the other students. The

Student was very offended and embarrassed. He didn't answer, just collected his things and left the room as the bell rang. The teacher was upset that he did not answer her question.

Grounds for Possible Grade Change

Concerning the Student's request for a grade change, the interviewer reminded Mr. Gonzalez that under the Education Code, teachers have the right to give a grade, and there are only five grounds to change the grade after offering the teacher the opportunity to participate in every step of the process. When told that the five grounds are clerical mistake, mechanical mistake, bad faith, fraud or incompetency, Mr. Gonzalez responded, "The last three. Both, the last three for sure. Incompetency, bad faith and fraud."

Mr. Gonzalez then related that a friend of his, now an adult with a responsible position in public employment in the community had been in Mrs. Baltazar's class approximately fifteen years ago. He had shared with his colleague his concerns for the Student and his grade. The colleague had very similar stories about being mistreated by Mrs. Baltazar as a high school student. He related to Mr. Gonzalez that the students were reading a book, *Como Agua Para Chocolate*, translated as *Like Water for Chocolate*. When Mrs. Baltazar asked the colleague what he thought about the book, he stated that it was a beautiful love story. She responded, "No it is not." She started yelling at him, stating that it shows that men are abusive and sexist.

Conclusion

Mr. Gonzalez was very saddened by the meeting. He had hoped that Mrs. Baltazar would have volunteered to contact the substitute and attempt to locate the Student's work that the Student stated he had turned in early and completely. However, she was defiant from the beginning of the meeting toward the other participants. Mr. Gonzalez believes that as educators, we can do better by our students than this.

Credibility of Mr. Gonzalez

Mr. Gonzalez is passionate in his advocacy for students in general, not only for the Student. He was clearly frustrated at the demeanor and response from Mrs. Baltazar from the meeting. He was earnest and credible in expressing his belief that an injustice has been done.

6. Interview of Ms. Socorro Sanchez

Ms. Socorro Sanchez was interviewed on September 13, 2018 at CVHS. Ms. Sanchez became Assistant Principal of CVHS in May 2018. Prior to that, she was a teacher at CVHS for eight years and a teacher at Desert Mirage High School for one year.

Ms. Sanchez has known Mrs. Baltazar for many years. Although she and Mrs. Baltazar do not consider each other friends, they have a mutual respect for one another. She is familiar with the Student because he was an AVID student when she was the AVID coordinator at CVHS.

Complaint to CVHS Administration Regarding the Student's AP Spanish Literature Grade

The Student expressed his concern to Ms. Sanchez that his AP Spanish Literature grade was an F approximately two days before the end of the 2017-2018 school year. The Student saw he had a failing grade in Mrs. Baltazar's class through the Aeries portal. Ms. Sanchez advised the Student to talk to Mrs. Baltazar.

Because Mrs. Baltazar was out for surgery, Ms. Sanchez sent an email reporting the Student's concerns to Mrs. Baltazar, who responded that the Student only turned in half of the semester's work. Ms. Sanchez and Mrs. Baltazar's email exchange on June 18, 2018 and June 19, 2018 entitled "The Student" and the English translation of the conversation are attached, collectively, as **Exhibit L** and incorporated by this reference.

At the start of the 2018-2019 school year, Ms. Sanchez asked the Student if he had spoken to Mrs. Baltazar about his grade. The Student stated he had not. Ms. Sanchez advised the Student to discuss the issue with Mrs. Baltazar and mention his high score on the AP exam.

Subsequently, the Student reported to Ms. Sanchez that Mrs. Baltazar was not receptive to his concerns. Ms. Sanchez informed the Student that CVHS administration would schedule a meeting with Mrs. Baltazar and his family to discuss his grade.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

Before the parent meeting on August 31, 2018, Mr. Sanchez and Ms. Sanchez asked Mrs. Baltazar if she would consider giving the student options to improve his grade as he planned to apply for scholarships and college applications. Mrs. Baltazar said she was not considering other options.

When Mr. Sanchez left the conference room momentarily to bring in the Student and his family, Mrs. Baltazar asked Ms. Sanchez, "What do I do?" Ms. Sanchez stated words to the effect of, "I'm going to talk to you like a classroom teacher. If this was me, I would automatically change the grade to a D because it is my fault I did not send the deficiency notice, but I would also maybe give the student a period of time so that they could turn in work." Then she stated, "It's up to you what you want to do." Mrs. Baltazar appeared concerned. Ms. Sanchez opined that Mrs. Baltazar "wanted to do the right thing."

Ms. Sanchez's account of the August 31, 2018 meeting matched Mr. Sanchez's report. When the meeting began, Mr. Sanchez explained that the purpose of the meeting was to discuss the Student's grade in Mrs. Baltazar's class.

Mr. Gonzalez spoke next, questioning why Mrs. Baltazar assigned the Student an F when he submitted all of the classwork. Ms. Sanchez did not recall the order of the parties' statements during the meeting. Mr. Gonzalez appeared upset.

Mrs. Baltazar stated words to the effect of “I don’t know why you’re here” to Mr. Gonzalez because he was not the Student’s parent. She explained that she would assign the Student a D because she did not send the deficiency notice.

The Student reported that he submitted all of the missing assignments showing on his Aeries Student Assignments page. The Student did not save his work on his home computer or Google drive. He reported that he used the Word program for the work, but then stated that the work was handwritten.

Mrs. Baltazar explained that a carpeta is a folder students were required to submit with assignments inside of it. She returned to school after the end of the school year to collect student folders from her classroom. She stated that the Student turned in three folders but did not submit all of the required carpetas. This resulted in his grade of approximately 45%. She did not state exactly how many folders were required. Mrs. Baltazar showed her gradebook.

She stated that the Student “got lucky” when he passed the AP exam with a score of four. Mrs. Baltazar pointed her index finger at the Student when she was speaking. Mr. Gonzalez asked her not to point her finger at the Student. She stopped pointing.

Mr. Gonzalez asked the Student to explain what he had reported to him. The Student stated that Mrs. Baltazar asked him if wanted to marry a virgin or not when he got married during a class discussion of a story. At that point, Mrs. Baltazar called the Student a “mentiroso” which translates to liar. The Student did not respond.

The Student also mentioned that Mrs. Baltazar stated that he “wasn’t man enough” because he stated he did not like horses during a class discussion about horses. He was calm when explaining Mrs. Baltazar’s comments. The Student did not raise his voice. Mrs. Baltazar stated, “That’s not true.”

At some point during the meeting, things began to escalate. Mr. Gonzalez appeared angry. His voice was loud. Mr. Gonzalez stated words to the effect of Mrs. Baltazar “should not be teaching” and that she “has no heart.”

Mrs. Baltazar appeared to be avoiding eye contact with Mr. Gonzalez. She became quiet because of Mr. Gonzalez’s statements and his loud voice.

The Student’s Mother requested that the grade be changed. She reported that Mrs. Baltazar has misplaced student work in the past. She named a student. Ms. Sanchez does not recall the name of the student. Mrs. Baltazar did not respond.

Ms. Sanchez asked words to the effect of, “Mrs. Baltazar, is there anything that the Student can do to help the D?” Mrs. Baltazar repeatedly declined. She kept referring to her gradebook, stating that the Student did not submit assignments.

Mrs. Baltazar reported that the Student was frequently absent. The Student was absent from her fourth period class because his baseball games were often at that time. Finally, Mrs. Baltazar agreed to allow two weeks for the Student to submit the missing assignments. The Student stated that he could not complete three months' worth of work in two weeks. Mr. Gonzalez stated words to the effect of, "Why should he do all the work again if he already did it?"

Mr. Sanchez attempted to redirect the meeting multiple times. Mr. Gonzalez told Mr. Sanchez to be quiet.

The Student's Sister stated that she would "go to the news." Mrs. Baltazar did not respond.

Bargaining Unit Member No. 1 entered the conference room after approximately thirty minutes and stated, "Mom, let's go." Mr. Gonzalez asked "Who are you?" Bargaining Unit Member No. 1 said, "I'm her daughter." Ms. Sanchez and Mr. Sanchez both directed Mrs. Baltazar to "go with Bargaining Unit Member No. 1." As she was leaving, Bargaining Unit Member No. 1 pointed at Mr. Gonzalez and stated words to the effect of, "We elected you. Shame on you!" Mr. Gonzalez was quiet for a few minutes after they left the room.

Mr. Sanchez again explained the steps he and Ms. Sanchez took. Mr. Gonzalez stated words to the effect of, "Art, I know that's out of your hands. It's out of your control." Mr. Sanchez suggested Ms. Sanchez check on Mrs. Baltazar. She excused herself from the meeting and went to Mrs. Baltazar's classroom.

Mrs. Baltazar was eating a rice crispy treat in her classroom, sitting with Bargaining Unit Member No. 1. Ms. Sanchez believes Mrs. Baltazar has a medical condition. Ms. Sanchez asked Mrs. Baltazar, "I'm here to see if you're okay. Do you need anything?" Bargaining Unit Member No. 1 stated she was fine. She explained that her sister, Bargaining Unit Member No. 2, heard Mr. Gonzalez yelling in the conference room. She confirmed with the Principal's Secretary that her mother was also inside the conference room. Bargaining Unit Member No. 2 sent Bargaining Unit Member No. 1 a text message directing her to come to the office and remove their mother. This is likely because Bargaining Unit Member No. 1 is calmer than her sister.

Approximately a week after the meeting, Ms. Sanchez followed up with Mrs. Baltazar regarding the documents to change the Student's grade from an F to a D. Mrs. Baltazar agreed to submit the documents shortly.

After the August 31, 2018 meeting, Ms. Sanchez asked Mrs. Baltazar if she had the three folders the Student did submit. She stated that she did have those three folders and pointed to a box underneath the table as you walk in her classroom. Ms. Sanchez stated that those folders might need to be reviewed.

In approximately September 2018, AVID Coordinator Bargaining Unit Member No. 5, who was aware of the Student's grade complaint, informed Ms. Sanchez that the Student told her

that he turned in his folders in Mrs. Baltazar's classroom late last school year when no one else was present. He walked into the classroom because the door was open and placed his folders on her desk. She did not tell Ms. Sanchez when the Student reported this to her.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

The Student did not report Mrs. Baltazar's comments to her prior to the August 31, 2018 meeting.

Allegations of Bullying by CVHS Students

The Student did not report to Ms. Sanchez that he felt bullied by other students. He did not mention allegations of bullying during the August 31, 2018 meeting.

Post-Interview Discussion Regarding the Student's Folders

On the afternoon of September 13, 2018, the investigators explained to Ms. Sanchez that Mrs. Baltazar volunteered to provide the investigators documentary evidence. Pursuant to union representative Ms. Carrera's request, Ms. Desbrow asked Ms. Sanchez to copy and scan any documents Mrs. Baltazar delivered for the investigation to avoid Mrs. Baltazar's use of her own allocated copy paper. Ms. Sanchez agreed to do so.

The investigators visited Mrs. Baltazar's classroom to inform her of this arrangement. Investigators took pictures of Mrs. Baltazar's classroom, attached, collectively, as **Exhibit M**. The investigators informed Mrs. Baltazar in the presence of Ms. Sanchez and Bargaining Unit Member No. 2 that Ms. Sanchez would copy and scan any documents Mrs. Baltazar volunteered to provide.

Credibility of Ms. Sanchez

Ms. Sanchez was a credible witness. She was articulate and knowledgeable about CVHS policies. She was forthcoming during the investigative interview. She clarified when she was unsure if she was misquoting an individual.

7. Interview of the Substitute Teacher

The Substitute Teacher was interviewed on September 20, 2018 at CVHS. The Substitute Teacher has been a substitute teacher for CVUSD for approximately one year. He is also a basketball coach at CVHS. He recognized the Student as a student from Mrs. Baltazar's AP Spanish Literature class during the 2017-2018 school year when shown a picture of the student.

Communication with the Substitute Teacher During Mrs. Baltazar's Absence at the End of the 2017-2018 School Year

The Substitute Teacher taught Mrs. Baltazar's classes at the end of the 2017-2018 school year. He taught her classes for approximately the last month of school. During that time, the Substitute Teacher communicated with Mrs. Baltazar and her daughter, Bargaining Unit Member No. 1, in person and through texts regarding Mrs. Baltazar's classes.

Mrs. Baltazar directed the Substitute Teacher to collect folders from her AP students. He did not receive any other instructions for Mrs. Baltazar's two AP classes. The AP students were "independent" and "knew what to do." Towards the end of the school year, students in the AP classes were working independently during class, finishing work.

Collection of Carpetas

The Substitute Teacher collected manila folders for Mrs. Baltazar's AP Spanish Literature and AP Spanish Language classes. He did not know the requirements for the folders. He observed that the folders had assignments inside them, including thinking maps and essays. The outside of the folders had images of the region in Mexico they were studying, a flag, pictures of author, and other artwork. Some of the folders had printed images glued onto them while others had hand-drawn artwork.

When a student handed him a carpeta, he would put a post-it note on the carpeta with the student name, the period number, and the date of submission. He grouped all folders collected the same day together in a rubber band. He created separate piles of folders for each day. He placed the collected folders and stacked them on Mrs. Baltazar's desk in the front corner of the classroom next to the whiteboard. Students submitted folders until the last day of school.

Some students placed carpetas on a rectangular table to the right of the classroom door instead of handing it to the Substitute Teacher. The Substitute Teacher did not touch those carpetas. He assumed students knew where to place their folders. Most students submitted their folders to him.

Some students would turn in two manila folders a day, while others would submit none. When multiple students turned in folders one day, he observed that the folders were different themes. He understood that the students were working at their own pace. He assumed that the majority of the folders were late but Mrs. Baltazar was accepting them. Mrs. Baltazar mentioned to him that students were finishing one carpeta that she recently assigned.

Mrs. Baltazar required students to turn in a certain amount of folders by the end of the school year. He did not know how many folders were required. He received folders during the school day and immediately after school. He usually left shortly after the bell rang.

The Substitute Teacher was shown a color picture of the Student. He recognized that the Student was a student in one of Mrs. Baltazar's classes. He is not otherwise familiar with the

Student. The Substitute Teacher does not recall receiving folders from the Student after the bell rang following sixth period. It is possible that he handed the Substitute Teacher some folders during class. He does not recall receiving folders from students after the final school bell rang.

The Substitute Teacher noticed that someone removed folders from the classroom once or twice before the end of the school year. He recalls seeing the folders on Mrs. Baltazar's desk where he placed them when he left at the end of the school day and observed all folders from her desk were collected the next morning. He does not know who came to collect the carpetas on those occasions. He stated, "There were just kind of there, and then they weren't there." He does not recall when he noticed the stack of folders was collected. He assumes either Bargaining Unit Member No. 1 or Bargaining Unit Member No. 2 came to collect the work. Mrs. Baltazar did not inform the Substitute Teacher that the carpetas would be removed from the desk. The Substitute Teacher never removed any carpetas from the classroom. He locked the classroom when he left at the end of the school day.

The Substitute Teacher was not present when students gave oral presentations using tri-fold boards. He did direct students to take the boards home pursuant to Mrs. Baltazar's direction to him. The Substitute Teacher did not communicate with Mrs. Baltazar after the school year ended.

Mrs. Baltazar's classroom contains wall-to wall decorations.

Credibility of the Substitute Teacher

The Substitute Teacher was credible. He specified when he was unable to remember certain details.

8. Interview of Bargaining Unit Member No. 1

Bargaining Unit Member No. 1 was interviewed on September 20, 2018 at CVHS. Bargaining Unit Member No. 1 is Mrs. Baltazar's daughter. She is a Spanish teacher at CVHS and has worked for CVUSD for about fourteen years.

Bargaining Unit Member No. 1 has never met the Student. She is aware that the Student was a student in her mother's AP Spanish Literature course during the 2017-2018 school year. Mrs. Baltazar informed her of his request for a meeting to discuss his grade on August 31, 2018. Her sister, Bargaining Unit Member No. 2, heard students stating that the Student was telling other students that Mrs. Baltazar was a bad teacher and that she was the reason he was not going to be valedictorian.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

Bargaining Unit Member No. 1 did not participate in the August 31, 2018 meeting. Bargaining Unit Member No. 2 sent her a text message because she heard screaming coming from the room where her mother's meeting was being held. She told her to come to the office

immediately. Bargaining Unit Member No. 1 ran to the front office. She heard a man's voice yelling inside the principal's conference room. His voice was very loud. She opined that no one has the right to yell on the CVHS campus.

Bargaining Unit Member No. 1 walked into the meeting and stated in Spanish, "Mom, let's go." Mr. Gonzalez appeared angry. His face was red and sweaty. He stated words to the effect of, "Who the hell are you?" She said, "I'm her daughter." He stated, "And?" Bargaining Unit Member No. 1 replied, "And I work here." She repeated "Mom, let's go." As they were leaving, she told Mr. Gonzalez words to the effect of, "We voted for you." Mr. Gonzalez is the Trustee for the region where she lives. The Principal's Secretary, who has known Mrs. Baltazar for twenty years, gave her a rice crispy treat because she was concerned about her medical condition. She took Mrs. Baltazar to her classroom. Bargaining Unit Member No. 1 and her sister later wrote statements, which were submitted with her mother's formal complaint. Bargaining Unit Member No. 1's written statement is attached as **Exhibit B** and incorporated herein by reference.

Communications with the Substitute Teacher During Mrs. Baltazar's Absence at the End of the 2017-2018 School Year

The Substitute Teacher taught Mrs. Baltazar's classes at the end of the 2017-2018 school year. During that time, Bargaining Unit Member No. 1, her sister, and her mother communicated with the Substitute Teacher via text and email about Mrs. Baltazar's classes.

The Substitute Teacher was present when students submitted carpetas for Mrs. Baltazar's AP Spanish Literature class. Bargaining Unit Member No. 1 did not collect the submitted carpetas to deliver to her mother. She reported that a student collected the carpetas from the classroom and drove them to Mrs. Baltazar's house where she dropped them off for Mrs. Baltazar to grade. When asked to clarify, Bargaining Unit Member No. 1 stated she did not know the details.

Credibility of Bargaining Unit Member No. 1

Bargaining Unit Member No. 1's account of the August 31, 2018 meeting matched that of her mother and sister. She became hesitant to provide further details about a student dropping off carpetas at her mother's home when questioned. She volunteered that Mrs. Baltazar was extremely organized and praised her teaching style and personal integrity.

9. Interview of Bargaining Unit Member No. 2

Bargaining Unit Member No. 2 was interviewed on September 20, 2018 at CVHS. Bargaining Unit Member No. 2 is Mrs. Baltazar's daughter and Bargaining Unit Member No. 1's sister. She is a teacher at CVHS.

August 31, 2018 Meeting Regarding the Student's AP Spanish Literature Grade

Bargaining Unit Member No. 2 was not present during the August 31, 2018 meeting. However, she sent a text message to her sister, Bargaining Unit Member No. 1, to remove their mother from the meeting because she heard a male voice yelling in the conference room when she was standing in the front office. Bargaining Unit Member No. 2 wrote a statement dated September 2, 2018 which was attached to her mother's complaint to Dr. Gomez. See **Exhibit C**.

Communication with the Substitute Teacher During Mrs. Baltazar's Absence at the End of the 2017-2018 School Year

The Substitute Teacher was a substitute teacher for Mrs. Baltazar's classes at the end of the 2017-2018 school year. During that time, Bargaining Unit Member No. 2 communicated with the Substitute Teacher to give him instructions for Mrs. Baltazar's Spanish III class. She did not provide instructions to the Substitute Teacher regarding Mrs. Baltazar's AP classes. Mrs. Baltazar told her that the AP students "knew what they needed to do." Bargaining Unit Member No. 2 did not collect carpetas for her mother's classes. She believes the Substitute Teacher collected the carpetas and the students knew where to place their work.

Credibility of Bargaining Member No. 2

Bargaining Unit Member No. 2 was somewhat credible. Like her sister, it was clear from her testimony that she supports her mother. Her testimony regarding the August 31, 2018 meeting matched that of her mother and sister. When Bargaining Unit Member No. 2 spoke to the investigator with Mrs. Baltazar regarding copying of documents which Mrs. Baltazar agreed to provide the investigator, Bargaining Unit Member No. 2 instructed her mother to clarify that she did not agree to change the Student's grade.

10. Interview of Bargaining Unit Member No. 3

Bargaining Member No. 3 was interviewed by Dr. Maria Gandera, CVUSD Assistant Superintendent of Human Resources, on October 15, 2018 at the District Office.

Bargaining Member No. 3 is a teacher in the English Department at CVHS. She has known the Student for approximately three years. She taught him as a freshman in Honors English. He received an A both semesters of her class. She described the Student as a "well-behaved," "model" student.

Near the end of September to the beginning of October 2018, the Student asked Bargaining Member No. 3 if she would write him a letter of recommendation. Because she wanted to speak to the Student privately about his request, she told him to come back at a later time when students were not present. Approximately one week later, the Student returned to Bargaining Member No. 3's classroom after school to discuss his request for a letter of recommendation. She asked the students present to leave the room so she could speak to him privately. Bargaining Member No. 3 apologized to the Student but stated that she did not feel

comfortable writing the letter “because of the way Mrs. Baltazar was being treated” in the meeting on August 31, 2018. Bargaining Member No. 3 stated she was in the main office at the time of the meeting, picking up supplies when she heard screaming. At that time, she did not know who was in the meeting.

Subsequently, she learned that the Student, his family, and Mrs. Baltazar attended the meeting on August 31, 2018 and heard what occurred during the meeting.

During the first two weeks of the 2018-2019 school year, the Student came to Bargaining Member No. 3’s classroom, reporting that he received an F in Mrs. Baltazar’s class. He stated that he had turned in work to a substitute teacher when Mrs. Baltazar was absent due to surgery. She did not credit him for that work. Bargaining Member No. 3 told the Student to speak with Mrs. Baltazar and she would probably work with him.

The day after the Student spoke to Bargaining Member No. 3 about his situation regarding his grade in Mrs. Baltazar’s class, a student named Student No. 13 also told her about the Student’s situation.

A few days later, Bargaining Member No. 3 went to speak with Mrs. Baltazar to see if Mrs. Baltazar could work with the Student. Mrs. Baltazar showed Bargaining Member No. 3 her paper gradebook, which was “meticulous.” Bargaining Member No. 3’s own paper gradebook is messy but she tries to keep the online student portal updated so students can view their grades. Mrs. Baltazar showed Bargaining Member No. 3 the Student’s grades in her class. Mrs. Baltazar’s gradebook showed the Student was the only student with missing assignments. It appeared that the Student’s assignments were not turned in during baseball season. The Student played baseball when he was Bargaining Member No. 3’s student. In her class, his grades would drop during baseball season, but subsequently he would raise his grade again. She was not surprised. The Student was in Mrs. Baltazar’s sixth period class and he missed a lot of days. It is difficult for students to keep up with classwork when they are absent often like the Student was. Bargaining Member No. 3 stated, “I felt better knowing that it wasn’t a mistake on her part but he hadn’t done the work.” She claimed that she had this conversation with Mrs. Baltazar prior to the August 31, 2018 meeting in the main office.

Bargaining Member No. 3 stated that the Student turned in five assignments at the end of the school year to the substitute teacher. She explained that if Mrs. Baltazar had not been on leave, she could have asked the Student “What about all the other assignments?” when he turned in the five assignments. She stated “it was bad timing.”

When she declined to write the letter of recommendation, the Student responded that he might not be able to go to college. He stated that he did the work, but Mrs. Baltazar won’t change the grade. Bargaining Member No. 3 explained that Mrs. Baltazar is “an old school type,” but her gradebook is meticulous. The Student was not expecting her to decline to write the letter. She has never turned a student down before.

Bargaining Member No. 3 acknowledged that there was no reason why she needed to know about what occurred in the August 31, 2018 meeting between the Student, his family, and Mrs. Baltazar. A counselor told Bargaining Member No. 3 that “there was an attorney on campus because of this.” Bargaining Member No. 3 stated, “Everyone at school has an idea something is going on because the kids are talking about it. The Student talks to kids.”

Bargaining Member No. 3 stated that the Student “is a good kid” but she feels he was being “a little manipulative” because she recalls that his grade dropped in her class during baseball season. This is not his “normal nature.” Bargaining Member No. 3 feels the Student is trying to blame Mrs. Baltazar. She stated that she has a duty “not to let our kids get away with things.”

Credibility of Bargaining Unit Member No. 3

Bargaining Member No. 3 gave vague testimony about the source of her information for the August 31, 2018 meeting. Bargaining Member No. 3 determined not to write the Student a letter of recommendation based on another person’s account of the Student’s conduct during the meeting in spite of the fact that she issued the Student a grade of A in both semesters of her class and described him as a well-behaved, model student. Bargaining Member No. 3’s statement that the Student was the only student with missing assignments is not true. Multiple students interviewed reported that they did not turn in all of the required folders at the end of the school year and records show 10 of Mrs. Baltazar’s 25 students failed her class.

11. Interview of Bargaining Unit Member No. 4

Bargaining Unit Member No. 4 was interviewed on September 13, 2018 at CVHS. Bargaining Unit Member No. 4 has been a school counselor at CVHS for approximately fifteen years. Bargaining Unit Member No. 4 is not familiar with the Student. He explained that he has approximately 526 students on his caseload and does not remember them all.

CVHS students are able to view their grades, check their submitted assignments, and see their missing assignments through the schoolwide Aeries portal. Students and parents can also use the Aeries portal to email teachers with questions about assignments.

Credibility of Bargaining Unit Member No. 4

Bargaining Unit Member No. 4 was credible.

12. Interview of Student No. 1

Student No. 1 was interviewed on October 2, 2018 at CVHS. Student No. 1 is a junior at CVHS. She took Mrs. Baltazar’s AP Spanish Language class during her freshman year and Mrs. Baltazar’s AP Spanish Literature class during her sophomore year with the Student. She received an A in both semesters of AP Spanish Literature and scored a four on the AP exam. Student No. 1 reported that Mrs. Baltazar is strict but wants students to be better.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature

Student No. 1 corroborated the Student's report of carpeta requirements. Mrs. Baltazar occasionally granted extensions for carpetas upon student request. Student No. 1 always tried to complete her assignments on time. On the few occasions Student No. 1 requested more time to complete her carpetas, Mrs. Baltazar granted the extensions.

Mrs. Baltazar stamped each assignment that went into the carpetas. She assigned a senior to stamp the assignments on her behalf during the school year. Student No. 1 was the substitute stamper.

Mrs. Baltazar expected students who were absent to be responsible for completing their make-up work. Students were required to ask a classmate about missed work when absent and submit it the following day or as soon as possible. When asked whether students received credit for late assignments, Student No. 1 stated Mrs. Baltazar graded on content. She required student work to be neat and orderly.

Mrs. Baltazar did not regularly update grades on Aeries throughout the semester. Students could ask Mrs. Baltazar which assignments they were missing but she expected students to keep track themselves.

Students placed completed carpetas on the first student desk of the second row of desks near the front of the classroom.

Student No. 1 and Student No. 5 were in charge of reviewing each student's submitted carpetas to ensure all the work inside was completed. Student No. 1 stamped the inside cover of the carpeta if all assignments were included. If Student No. 1 or Student No. 5 found something was missing from a carpeta, they gave it back to the student with a post-it note indicating the errors. Students would resubmit their carpetas. This made Mrs. Baltazar's grading of carpetas easier. Student No. 1 and Student No. 5 collected folders from the front student desk and placed them in a box behind Mrs. Baltazar's desk. Mrs. Baltazar would take the box home to grade the carpetas.

June 1, 2018 Deadline for Carpetas

Student No. 1 corroborated the Student's testimony that Mrs. Baltazar announced before the May 2, 2018 AP exam that she was granting an extension for carpetas. Students had until the last day of school on June 1, 2018 to turn in carpetas from the second semester. When she made this announcement, all students were behind in submitting their folders. Mrs. Baltazar discussed the last five authors very quickly before the AP exam. Mrs. Baltazar stopped stamping assignments after the AP exam.

Collection of Carpetas

Mrs. Baltazar directed students to turn in folders to the substitute teacher during her absence at the end of the 2017-2018 school year. Students submitted their carpetas to the substitute teacher or placed them on the student desk in front of the classroom. The substitute teacher collected folders from the front student desk and moved them to Mrs. Baltazar's desk during the second to last week of school. Student No. 1 handed her folders for the last five authors to the substitute teacher during the last week of school.

Student No. 1 noticed that some carpetas were removed from the classroom before the last day of school. She never saw anyone collect the carpetas. Mrs. Baltazar told Student No. 1 she intended to pick up student work during her absence at night because she had to avoid daylight while recovering from her surgery. Her husband or her daughters may have collected the folders for her.

Student No. 1 and a group of students called Mrs. Baltazar during her absence to ask if they could submit their carpetas after the school year ended. Mrs. Baltazar agreed to the extension. Student No. 1 dropped off four folders to Student No. 4 on Sunday, June 3, 2018. Student No. 4 dropped off carpetas from about ten students to Mrs. Baltazar's house on June 3, 2018.

Text Messages from Mrs. Baltazar Regarding the Collection of Carpetas

Mrs. Baltazar gave Student No. 1 her cell phone number during the school year. During her absence, Mrs. Baltazar sent text messages to Student No. 1's cell phone giving her directions about fourth period AP Spanish Literature. She asked Student No. 1 how many carpetas were submitted on a few occasions. If there was a small amount of carpetas, Mrs. Baltazar would tell Student No. 1 that she planned to wait to collect the folders until more were submitted. Student No. 1 showed the investigators her text exchanges with Mrs. Baltazar and allowed them to photograph her phone.

On Wednesday, May 30, 2018 at 9:45 am, Mrs. Baltazar texted Student No. 1 to ask about student carpetas. The translated text message states, "Hi Student No. 1! Can you and Student No. 5 please check the folders? I organized the packets. Tell me how many folders were turned in." At 11:09 am, Student No. 1 replied, "Yes. Okay." Thereafter, Mrs. Baltazar asked, "How did it go?"

At 1:24 pm, Student No. 1 responded saying, "Everything is good, but many folders are missing. I think you will receive folders until the last day. I am missing another 3. But I am almost done." Mrs. Baltazar responded, "It is okay. Let's see what happens. You delivered yours and tell Student No. 4 not to let go of her A."

On May 30, 2018 at 8:59 pm, Mrs. Baltazar texted, "Student No. 1, please make an announcement that tomorrow is the last day to turn in folders and that there will be a final exam on Friday. I am telling you this because Student No. 5 has not responded. Please tell me when

you make the announcement.” Student No. 1 delivered Mrs. Baltazar’s message to the class the next day. There was no final exam. Mrs. Baltazar was likely trying to scare students.

On May 30, 2018, Mrs. Baltazar then texted Student No. 1 pictures of her first semester gradebook and her second semester gradebook. Mrs. Baltazar compared the two gradebooks and said, “Look at how sad this [semester’s gradebook] is.” Mrs. Baltazar noted how more students were missing work in the second semester. The original text messages and the translated texts between Mrs. Baltazar and Student No. 1 are attached collectively as **Exhibit N** and incorporated herein by reference.

Text Messages from Mrs. Baltazar Regarding the Student

Student No. 1 sent a text message to Mrs. Baltazar on Tuesday, May 29, 2018 at 10:34 am after speaking with the Student.³ The Student told Student No. 1 he placed his folders on the front student desk after school on Friday. No one was in the classroom when he submitted his folders but the door was open. Student No. 1’s text exchange with Mrs. Baltazar regarding the Student reads as follows:

Student No. 1: “Teacher it’s Student No. 1, good morning! The Student turned in some folders on Friday and he wanted to know if you already received them.”

Mrs. Baltazar: “No. Please check them. Don’t tell him anything, tell him you’re not going to bother me with that question. I delivered everything and now. He almost wants to get me out of the operating room because of his irresponsibility. Don’t say anything. Tell him not to answer.”

Mrs. Baltazar: “For the work of the house of Bernada Alba, tell them how they are going to organize it. I taught Student No. 12, ask her.”

Student No. 1: “Ok sounds good Teacher.”

The text messages and translation regarding the Student’s carpetas are attached as **Exhibit O** and incorporated herein by reference.

Credibility of Student No. 1

Student No. 1 was very credible. She was forthcoming when answering the investigator’s questions. She provided many details regarding classroom procedures. Review of her transcripts confirmed her report of her As in Mrs. Baltazar’s class and her grade of four on the AP exam.

³ Monday, May 28, 2018 was Memorial Day.

13. Interview of Student No. 2

Student No. 2 was interviewed on October 2, 2018 at CVHS. Student No. 2 is a senior at CVHS. He took Mrs. Baltazar's Spanish III class during his freshman year and her AP Spanish Language class during his sophomore year.

Mrs. Baltazar is a strict teacher. Folders or carpetas similar to the ones assigned in AP Spanish Literature are assigned in Mrs. Baltazar's Spanish III and AP Spanish Language classes. She did not accept a student's carpeta with 40 to 60 pages of work if one assignment was missing from the folder. Many students stayed silent rather than questioning Mrs. Baltazar's grading policies.

Mrs. Baltazar's Misplacement of Student No. 2's Carpetas

Student No. 2 reported that Mrs. Baltazar misplaced his carpetas on two separate occasions. He initially received a D in Spanish III because Mrs. Baltazar lost one of his carpetas. Student No. 2's father met with Mrs. Baltazar to explain that Student No. 2 submitted the work. Student No. 2 was not present during their meeting. His father, who has a strong personality, reported that Mrs. Baltazar was defensive. The following day, she told the class that Student No. 2 was a "daddy's boy" who was "perezoso," which translates to "lazy." Her negative comments about him to his classmates bothered him. Mrs. Baltazar eventually found Student No. 2's missing carpeta. She changed Student No. 2's grade from a D to an A. He received an A both semesters of Spanish III.

The next school year, he enrolled in Mrs. Baltazar's AP Spanish Language class. During the first semester, Mrs. Baltazar again misplaced one of his carpetas. Mrs. Baltazar told the class that the carpeta was due on a Friday. However, Mrs. Baltazar was absent on Friday and a young, female substitute teacher taught her class. Mrs. Baltazar did not give clear directions to students about submitting folders when she was absent.

Because of her strict policy against accepting late work, Student No. 2 decided to submit the carpeta to the substitute on Friday so his carpeta was timely. He is certain that he placed the carpeta in Mrs. Baltazar's classroom in the substitute teacher's presence.

Mrs. Baltazar did not believe that Student No. 2 did the work. When he tried to explain that Mrs. Baltazar saw him do the work in class, she refused to listen to his explanation. She again called him lazy. She did not search for Student No. 2's missing carpeta. It appeared that she "didn't care." Mrs. Baltazar directed Student No. 2 to complete the entire carpeta again to receive credit. Student No. 2 did not want to redo the entire carpeta because of the many hours required to complete the numerous assignments.

Due to the misplaced carpeta, Mrs. Baltazar assigned Student No. 2 an F for his first semester of AP Spanish Language. Student No. 2 chose not to argue about his grade. At that time, he was having problems at home and decided not to tell his parents about the misplaced carpeta. He wanted to avoid Mrs. Baltazar's criticism of him in front of his classmates. Because

he submitted the carpeta to a substitute teacher, he felt that he did not have evidence to prove he submitted the work. Student No. 2 does not blame the substitute teacher for the misplaced carpeta. Carpetas are scattered all over Mrs. Baltazar's classroom.

Student No. 2 believes he deserved an A for the first semester of Mrs. Baltazar's AP Spanish Language class. He transferred into Bargaining Unit Member No. 6's AP Spanish Language class for the second semester and received an A.

Credibility of Student No. 2

Student No. 2 was credible. He was calm when describing the failing grades he received because Mrs. Baltazar lost his carpetas on two separate occasions. He was not hesitant to answer questions regarding Mrs. Baltazar and her assignments. Student No. 2's transcript confirmed his testimony regarding his grades in Mrs. Baltazar's and Bargaining Unit Member No. 6's classes. His transcript also indicated he scored a four on the AP Spanish Language exam.

14. Interview of Student No. 3

Student No. 3 was interviewed on October 2, 2018 at CVHS. Student No. 3 is a junior at CVHS. He took Mrs. Baltazar's AP Spanish Language class during his freshman year and her AP Spanish Literature class during his sophomore year with the Student. He received an F for both semesters of Mrs. Baltazar's AP Spanish Literature class. Student No. 3 did not take the AP exam.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature

Student No. 3's account regarding carpeta requirements and due dates largely matched the Student's. Mrs. Baltazar allowed students to submit their second semester carpetas on the last day of the school year. Student No. 3 corroborated the Student's report that Mrs. Baltazar does not regularly update grades as students turn in their carpetas.

Collection of Carpetas

Student No. 3 recalls that stacks of carpetas were "everywhere" in Mrs. Baltazar's classroom. When asked if he believes Mrs. Baltazar may have misplaced any of his carpetas, Student No. 3 acknowledged that he did not turn in many carpetas. Mrs. Baltazar spoke to Student No. 3 many times about his missing assignments. She called Student No. 3 "perezoso," meaning lazy.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

Student No. 3 corroborated the Student's report that Mrs. Baltazar asked both him and the Student if they preferred to marry "a virgin or a woman with experience." He was nervous when Mrs. Baltazar asked him that question. He responded stating words to the effect of, "It doesn't matter."

Credibility of Student No. 3

Student No. 3 was credible. His report regarding Mrs. Baltazar's question matched the Student's testimony. Student No. 3 was truthful about his lack of effort in Mrs. Baltazar's class. He did not argue he deserved a different grade. Unlike the Student and the other fourth period students interviewed, Student No. 3 was unable to provide detailed answers about carpeta requirements, which is consistent with his testimony that he failed to submit many assignments.

15. Interview of Student No. 4

Student No. 4 was interviewed on September 20, 2018 at CVHS. Student No. 4 is a junior at CVHS. She was enrolled in Mrs. Baltazar's AP Spanish Literature class with the Student during the 2017-2018 school year. She sat in front of the Student during that class.

Student No. 4 received an A for both semesters of Mrs. Baltazar's class and scored a five on the AP exam. She reported having a good relationship with Mrs. Baltazar and described her as a great teacher. Mrs. Baltazar encouraged her when she expressed anxiety regarding the AP exam, stating that Student No. 4 was capable of scoring a five.

She acknowledged that Mrs. Baltazar assigned a lot of homework, stating that all the assignments prepared students for the AP exam.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature Class

She corroborated the Student's report of carpeta requirements. The carpeta assignments were handwritten because Mrs. Baltazar wanted students to practice handwriting essays to simulate the AP exam. Students had the option to type final drafts of essays.

Student No. 4 corroborated the Student's statement that Mrs. Baltazar gave students additional time to submit their carpetas. Mrs. Baltazar made this announcement about a month before the May 2, 2018 AP exam so students could focus on studying.

She recalled that the due date for the carpetas was initially set for the day before Mrs. Baltazar left for her medical procedure. Mrs. Baltazar granted an extension for students who asked for additional time to submit their carpetas.

Collection of Carpetas

Mrs. Baltazar stated that she or her daughters would come to her classroom to pick up carpetas during her absence. Students could also turn in carpetas to her daughters. Students placed their folders on a student desk in the front of the classroom near Mrs. Baltazar's desk. Student No. 4 also saw students place carpetas in boxes in the back of the classroom.

Student No. 4 reported that she turned in her final carpetas to Mrs. Baltazar in person on the second to last or last day of school. *[Investigator's Note: Mrs. Baltazar testified she was on leave on May 31, 2018 and June 1, 2018.]* She submitted approximately ten carpetas. She did not leave any carpetas in the classroom.

The Student told Student No. 4 that he received an F in Mrs. Baltazar's AP Spanish Literature class. Many students are aware that the Student failed Mrs. Baltazar's class. During the second to last or last week of the 2017-2018 school year, Student No. 4 noticed that the Student was not working on his carpetas in class. The Student explained that he had finished and submitted his carpetas.

The Student was often absent. When he returned to class, he would always ask Student No. 4 or other students about which assignments were due. A few times, he did not have his assignments ready to be stamped when Mrs. Baltazar came around to each student's desk.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

Mrs. Baltazar discussed "machismo" and sexism in relation to the reading assignments, including one literary work by a Mexican nun who faced difficulty because of her gender. Although she recalled discussing "machismo" in class, Student No. 4 stated that she did not remember Mrs. Baltazar asking a male student if he preferred a virgin or a woman with experience.

Student No. 4 recalled a class discussion about horseback riding when reading the work "My Magic Horse" by a Mexican American author. She denied that Mrs. Baltazar told the Student that he "wasn't man enough."

Allegations of Bullying by CVHS Student

Student No. 4 has not heard students making negative comments about the Student this school year.

Credibility of Student No. 4

Student No. 4 was somewhat credible. Although her testimony regarding carpetas matched the Student's, she was less than forthcoming when she failed to report that her father drove her to Mrs. Baltazar's house after the school year ended to deliver carpetas. She could not have turned in work to Mrs. Baltazar as she claimed on the second to the last day or last day of school as Mrs. Baltazar was on leave. She is the only student interviewed who did not remember Mrs. Baltazar asking the Student if he preferred a virgin or a woman with experience. Student No. 4 appears young for an eleventh grader. She defended Mrs. Baltazar throughout her interview. Her testimony may have been compromised to some extent because she was aware of the Student's complaint regarding his failing grade in Mrs. Baltazar's class prior to her interview.

16. Interview of Student No. 5

Student No. 5 was interviewed on October 2, 2018 at CVHS. Student No. 5 is a senior at CVHS. She took Mrs. Baltazar's Spanish III class during her freshman year, her AP Spanish Language class during her sophomore year, and her AP Spanish Literature class during her junior year with the Student. She described Mrs. Baltazar as a good teacher who is passionate about teaching students about Mexican culture.

She received a C for the second semester of Mrs. Baltazar's AP Spanish Literature class and scored a four on the AP exam. She was disappointed to receive a C because she worked very hard on her carpetas during the semester. Mrs. Baltazar graded all carpetas she submitted. Student No. 5 stated, "It was too much work to finish." Her mother, who saw Student No. 5 frequently working on Mrs. Baltazar's assignments, was also frustrated that her effort resulted in a C grade. Now that Student No. 5 is no longer taking AP Spanish Literature, her mother is relieved she has more free time.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature Class

Student No. 5 corroborated the Student's report of carpeta requirements, carpeta deadlines, and other class assignments. Mrs. Baltazar gave daily assignments. Student No. 5 saw some students writing essays during class the day it was due. Mrs. Baltazar gave students the due date for carpetas in advance.

Mrs. Baltazar stamped assignments that were completed on time. Student No. 14 was assigned to stamp assignments for Mrs. Baltazar. Students who were absent were required to ask Mrs. Baltazar or speak to classmates about their missed work and turn it in the following day. When Student No. 5 was absent, she asked her classmates what assignment she missed. Students with excused absences were able to obtain a stamp for missed assignments upon their return.

Students received partial credit for late assignments. Assignments without a stamp were accepted in the carpeta. Students lost a few grade points on such assignments. If a carpeta was late, Mrs. Baltazar would deduct a significant amount of points.

Mrs. Baltazar granted extensions for carpetas. During the second semester, Student No. 5 fell behind in her work because the class was fast-paced. On one occasion, Mrs. Baltazar spoke to Student No. 5 about her missing assignments. Mrs. Baltazar asked her, "Are you having trouble?" She was very understanding and gave Student No. 5 an extension when she expressed she had too much work.

Student No. 5 corroborated the Student's account that Mrs. Baltazar does not regularly update grades on Aeries. Students could not check which carpetas they were missing during the semester.

June 1, 2018 Deadline for Carpetas

From March to April 2018, the class focused on studying for the AP exam. In preparation for the AP exam, students completed flashcards, took mock exams, and attended optional Saturday school. Student No. 5 corroborated the Student's report that Mrs. Baltazar announced prior to the May 2, 2018 AP exam that she was granting an extension for all fourth quarter carpetas until the last day of school on June 1, 2018.

Mrs. Baltazar wrote a list of all the authors on the white board in her classroom. Student No. 5 believes approximately 24 carpetas were due by the end of the school year. She described it as a "scary amount of work."

Mrs. Baltazar continued to have Student No. 14 stamp assignments throughout the second semester. However, students were not concerned about receiving stamps toward the end of the school year.

Collection of Carpetas

During Mrs. Baltazar's absence at the end of the 2017-2018 school year, students submitted their carpetas by placing them on a student desk in the front of the classroom. Mrs. Baltazar always used the first student desk in that row of desks for collecting student folders. No students sat in that desk during classes.

Mrs. Baltazar told students to leave carpetas on the front desk because she or her daughters would collect them. The front desk had stacks of folders from all of Mrs. Baltazar's classes, including AP Spanish Language.

Graded folders were in boxes on tables in the back of the classroom. The folders were bound together by rubber bands and separated by author. Student No. 5 did not see students place folders in the back of the classroom. Students knew that they needed to place their second semester carpetas on the front desk.

The substitute teacher who taught the class in Mrs. Baltazar's absence during the last weeks of school did not give any directions regarding the submission of carpetas. He told students words to the effect of, "You guys know what you have to do."

Student No. 5 did not notice that any folders were removed during the last weeks of school. The pile of folders on the front desk continued to grow until the last day of school.

Most students submitted their final carpetas during the last two days of school. With a group of other female students in the class, Student No. 5 called Mrs. Baltazar requesting an additional extension for submitting their carpetas. Mrs. Baltazar granted the extension and instructed Student No. 4 to collect the group's folders and deliver them to Mrs. Baltazar's house by Saturday, June 2, 2018. No other students were granted this extension. After staying up all

night to finish her work, Student No. 5 traveled to Student No. 4's house and gave her thirteen carpetas to deliver to Mrs. Baltazar on June 2, 2018.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

Student No. 5 corroborated the Student's testimony that Mrs. Baltazar asked the Student and Student No. 3 if they preferred "a virgin or a woman with experience" during a discussion on the concept of "machismo." The Student did not respond to Mrs. Baltazar's question. Mrs. Baltazar asked the question during a discussion of the story *El Burlador de Sevilla*. [Investigator's Note: The student was likely referring to the play *El Burlador de Sevilla y Convidado de Piedra* by Tirso de Molina, an author mentioned in the student assignments page. See **Exhibit G**. The title translates to the Seducer of Seville and the Stone Guest.] Mrs. Baltazar discussed the double standard in the story that women were required to be pure and innocent while men were held to no such requirement. When asked why Mrs. Baltazar asked the Student and Student No. 3 that question, Student No. 5 stated "for a laugh."

She also corroborated the Student's report that Mrs. Baltazar said words to the effect of the Student "wasn't man enough" because he did not ride horses. Student No. 3 was absent that day. This occurred during a class discussion on "Don Quixote." Mrs. Baltazar stated it was important for men to ride horses and look brave.

Allegations of Bullying by CVHS Students

Student No. 5 has not heard students making negative remarks about a student's class ranking.

Credibility of Student No. 5

Student No. 5 was credible. She was forthcoming and direct during the interview.

17. Interview of Student No. 6

Student No. 6 was interviewed on October 2, 2018 at CVHS. Student No. 6 is a senior at CVHS. She has taken two classes with Mrs. Baltazar: AP Spanish Language during her sophomore year and AP Spanish Literature during her junior year with the Student Student No. 6 received an F for the second semester of AP Spanish Literature. She scored a five out of five on the AP exam.

She stated that her F grade in Mrs. Baltazar's class was fair because she did not turn in 15 carpetas. She opined that all teachers are fair. A month before school ended, Mrs. Baltazar spoke privately to Student No. 6 after school, telling her to try to submit her missing carpetas.

Requirements for Carpetas for Mrs. Baltazar's AP Spanish Literature

Student No. 6 corroborated the Student's testimony for carpeta requirements and due dates. Mrs. Baltazar directed students to ask their classmates what they missed when they were absent. Whenever Student No. 6 was absent because she played in the CVHS Band, Mrs. Baltazar stamped her make-up work.

She also corroborated the Student's report that Mrs. Baltazar does not continuously update grades for carpetas or assignments on Aeries. Mrs. Baltazar typically inputs grades the week before they were due for teachers so students were unable to check their class grade or track missing assignments. Generally, students could ask Mrs. Baltazar what assignments they were missing because she usually had her paper gradebook with her.

Other students reported to Student No. 6 that Mrs. Baltazar has lost student work in the past. She did not recall the students' names.

Prior to the AP exam, students did practice essays and other assignments in class in preparation for the exam. These were separate from assignments for the carpetas, which students were required to complete outside of class on their own. Student No. 6 also attended Saturday school where they took practice tests.

Mrs. Baltazar gave students additional time to submit their carpetas during the second semester. Students were able to submit any carpetas they were missing on the last day of school, June 1, 2018. More than twenty carpetas were due.

Collection of Carpetas

During Mrs. Baltazar's absence at the end of the 2017-2018 school year, the substitute teacher reminded the class to turn in their carpetas. The substitute did not tell students where to place their carpetas.

Students usually placed their completed folders on a student desk in a middle row to the left of Mrs. Baltazar's desk in the front of the classroom.

Student No. 6 did not turn in any carpetas to the substitute teacher. She submitted two or three carpetas to Mrs. Baltazar in person during the fourth quarter.

Complaint Regarding Mrs. Baltazar's Alleged Inappropriate Comments

Student No. 6 corroborated the Student's report that Mrs. Baltazar asked the Student and the other male student if they wanted to marry "a virgin or a woman with experience" while discussing the concept of "machismo." This occurred during the class discussion of *El Burlador de Sevilla*, about a man who sleeps with many women. Both male students did not respond to Mrs. Baltazar's question.

She does not recall a class discussion on the importance of horse-riding in Mexican culture. She does not remember Mrs. Baltazar telling a student words to the effect of “you are not man enough” because he did not ride horses.

Allegations of Bullying by CVHS Students

Student No. 6 has not heard negative comments about a student’s class ranking.

Credibility of Student No. 6

Student No. 6 was credible. She was forthcoming during the interview. Student No. 6 specified when she did not know an answer to a question. She was calm when explaining why she received an F in Mrs. Baltazar’s class. Student No. 6 continues to have a high opinion of Mrs. Baltazar despite hearing negative comments about her from other students and receiving a failing grade in her class.

18. Interview of Student No. 7

Student No. 7 was interviewed on October 2, 2018 at CVHS. Student No. 7 is a senior at CVHS. She took Mrs. Baltazar’s AP Spanish Language class during her sophomore year and her AP Spanish Literature class during her junior year with the Student. She “loves” Mrs. Baltazar, who makes students feel welcome in her class. She is very knowledgeable about the material.

Requirements for Carpetas for Mrs. Baltazar’s AP Spanish Literature

Student No. 7 corroborated the Student’s testimony regarding requirements and deadlines for carpeta in Mrs. Baltazar’s class. Although Mrs. Baltazar wanted students’ final essays to be typed, she allowed Student No. 7 to neatly handwrite hers on two occasions.

Student No. 7 corroborated Student No. 5’s account that Mrs. Baltazar directed a student to stamp student work in class daily. The stamper was either Student No. 1, Student No. 5, or Student No. 4.

Mrs. Baltazar did not update grades on Aeries until the end of the grading period. She wrote a list of the authors on the white board. Student No. 7 created her own list to track her completion of carpetas. Mrs. Baltazar expected students to keep track of their own assignments.

Mrs. Baltazar gave students partial credit for late work. In her experience, Mrs. Baltazar graded on quality of the work. On at least one occasion, Student No. 7 received full credit on a late carpeta because it was well done. Mrs. Baltazar spoke to Student No. 7 twice about her missing carpetas during the school year. She instructed Student No. 7 to turn in her carpetas before the grading period ended. Mrs. Baltazar accepted a carpeta from Student No. 7 during the second semester that was due during the first semester.

June 1, 2018 Deadline for Carpetas

Student No. 7 confirmed the Student's report that Mrs. Baltazar gave an extension for carpetas during the second semester. Students were allowed to submit any missing carpetas until the last day of school on Friday, June 1, 2018. All but three students were behind on their carpetas during the second semester. She did not recall the names of those three students. Students submitted their carpetas throughout the last month of school.

Collection of Carpetas

During Mrs. Baltazar's absence at the end of the 2017-2018 school year, students turned in their carpetas by stacking them on two student desks in the front of the classroom. Two students were in charge of organizing the folders placed on the front desks. They checked the folders and sorted them by author. Graded carpetas were piled on a desk in the back of the classroom.

Carpetas were removed from the classroom at least twice towards the end of the school year. Student No. 7 did not see who collected the carpetas. She assumes Mrs. Baltazar's husband or her daughters came to the classroom to collect the carpetas.

Student No. 7 is friends with the Student and sat next to him in class. The Student is somewhat honest. In class during the last weeks of school, he told Student No. 7 he finished his carpetas. However, she saw the Student working on carpetas after he claimed to be finished. Student No. 7 recalls seeing the Student place his folders on the front desk toward the end of the school year.

After the school year concluded, the Student told Student No. 7 that he submitted multiple carpetas to the substitute teacher, but Mrs. Baltazar never received them. Mrs. Baltazar has never misplaced Student No. 7's assignments.

A group of female students, including Student No. 7, Student No. 1, Student No. 5, and Student No. 6, requested an extension to turn in their carpetas past the last day of school, which Mrs. Baltazar granted. Student No. 7 traveled to Student No. 4's house and dropped off her four carpetas on Monday, June 4, 2018. Student No. 4, who lives on the same street as Mrs. Baltazar, delivered the group's carpetas to Mrs. Baltazar at her house on Monday with her parent.

Student No. 7 often used acrylic paint to decorate her carpetas, which was a time-consuming process. She expected to receive a D for the second semester of AP Spanish Literature because she was not able finish all of her carpetas. She was taking AP Chemistry at the same time. She stated, "I couldn't handle" the work. Student No. 7 received a four on the AP exam.

Credibility of Student No. 7

Student No. 7 was credible. She was calm and forthcoming during the interview. She described Mrs. Baltazar positively throughout her interview despite receiving a D in her class.

19. Interview of Student No. 8

Student No. 8 was interviewed on September 20, 2018 at CVHS. Student No. 8 is a senior at CVHS who is currently ranked number two in his class. Student No. 8 is friends with the Student. He reported that the Student dropped from rank number one to rank number three after receiving an F in Mrs. Baltazar's class. Student No. 9, a recent transfer student from Shadow Hills High School, became the number one ranked student.

Grade Complaint

Student No. 8 was surprised when the Student told him that he received an F in Mrs. Baltazar's AP Spanish Literature class. Student No. 8 believes Mrs. Baltazar made a mistake because he knows the Student is a hard working student.

Allegations of Bullying by CVHS Students

Student No. 8 has not heard students making negative comments about the Student in relation to his school ranking. He is aware that Student No. 10 posted a Snapchat video showing Student No. 9 as the top student of the senior class. The video showed Student No. 9's GPA and his class rank. Student No. 8 talked to the Student about Student No. 9's transfer into CVHS with a 4.8 GPA. However, he has not spoken to the Student about Student No. 10's social media post.

Credibility of Student No. 8

Student No. 8 was credible. He was forthcoming during the investigative interview. He explained the social media post and provided insight into the dynamics of the senior class.

V. FINDINGS OF FACT BASED ON THE EVIDENCE GATHERED

These findings were made based upon Mrs. Baltazar's written complaint, documentary evidence provided by witnesses, as well as upon the interviews of twenty witnesses. For all factual findings in this report, the investigators used the preponderance of the evidence standard. This standard requires findings to be substantiated when the evidence indicates a particular fact or event was more likely than not to have occurred.

A. Factual Findings regarding Mrs. Baltazar's allegation that Mr. Jesus Gonzalez violated the Trustee code of conduct and improperly interfered with school staff and administration during the August 31, 2018 meeting:

- On August 31, 2018, Mr. Gonzalez, Mrs. Baltazar, the Student, the Student's Sister, the Student's Mother, Principal Mr. Sanchez, and Assistant Principal Ms. Sanchez attended a meeting at CVHS to discuss the Student's AP Spanish Literature grade of an F for Spring semester 2018.
- Witnesses reported that Mrs. Baltazar did not greet or acknowledge the Student, the Student's family, or Mr. Gonzalez at the start of the meeting.
- Mrs. Baltazar's initial comment was that she would change the Student's grade from an F to a D because she did not send the Student or his parents the required notice of possible failure during the 2017-2018 spring semester.
- The Student stated that he turned in the approximately 37 assignments early, acknowledged by the substitute teacher, while Mrs. Baltazar was on leave.
- Mrs. Baltazar called the Student a "mentiroso," or "liar," when he stated that he turned in all of his assignments for her class.
- Mrs. Baltazar described the Student's work as "raquitico," or "thin." The Student received grades of 88% to 100% on all folders he submitted during the first half of the 2017-2018 spring semester.
- Mrs. Baltazar stated the Student "got lucky" when he received a passing grade of four on the AP Spanish Literature exam.
- Mrs. Baltazar maintained eye contact only with the Student, raised her voice, and repeatedly pointed her index finger at the Student while speaking to him. Mr. Gonzalez asked Mrs. Baltazar to stop pointing at the Student. He raised his voice in response to Mrs. Baltazar's loud voice.
- Mr. Gonzalez asked Mrs. Baltazar if she searched for the Student's missing assignments in her classroom where he reportedly placed them. Mrs. Baltazar did not respond directly and did not agree to search for the Student's work. She repeatedly stated that the Student never turned in the work.
- Mr. Gonzalez stated that it was unreasonable for Mrs. Baltazar to conclude that the Student did not submit approximately 37 assignments. He referenced the Student's previous success in the class, his passing score of four on the AP exam, and his high GPA.
- Mr. Gonzalez raised his voice in response to Mrs. Baltazar's loud voice. He stated words to the effect of "you have no heart" to Mrs. Baltazar. He suggested that Mrs. Baltazar should not be teaching because of her lack of compassion for her students.

- Mr. Gonzalez did not threaten to use his authority as a Board member to terminate her District employment or to initiate the process to do so.
- Mrs. Baltazar offered to give the Student two weeks to complete his 37 missing assignments, covering a period of over two months. The Student declined because he would not be able to complete approximately three months of work in two weeks while completing work for his current classes.
- The meeting ended when Bargaining Unit Member No. 1 abruptly entered the room and directed her mother to leave.
- A female AP Spanish Literature student sent a text message to Mrs. Baltazar on May 29, 2018 stating that the Student had submitted folders on Friday, May 25, 2018 and seeking Mrs. Baltazar's confirmation. Mrs. Baltazar's response avoided confirming her receipt of the Student's work.
- Based upon all of the evidence, it is more likely than not that the Student did early or at least timely turn in the work as he stated.
- Based upon all of the evidence, it is likely that Mrs. Baltazar or another person misplaced the work the Student turned in during her absence.

VI. LEGAL STANDARDS AND CONCLUSIONS OF LAW

A. Legal Standards Applied to the Complaint

1. Violation of Board Bylaw No. 9200 "Limits of Board Member Authority"

CVUSD Board Bylaw No. 9200 regarding "Limits of Board Member Authority," hereto attached as **Exhibit P** and incorporated by this reference, states:

"The Governing Board recognizes that the Board is the unit of authority over the district and that a Board member has no individual authority. Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee.

...

Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person

with a complaint should refer the complainant to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate district process.

A Board member whose child is attending a district school should be aware of his/her role as a Board member when interacting with district employees about his/her child. Because his/her position as a Board member may inhibit the performance of school personnel, the Board member should inform the Superintendent or designee before volunteering in his/her child's classroom.”

2. Violation of Board Policy No. 4119.21 “Professional Standards”

CVUSD Board Policy No. 4119.21 regarding “Professional Standards,” hereto attached as **Exhibit Q** and incorporated by this reference, states:

“The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the district's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

Staff Conduct with Students

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.”

B. Legal Analysis

1. Violation of Board Bylaw No. 9200 “Limits of Board Member Authority”

Mrs. Baltazar's complaint alleges that Mr. Gonzalez exhibited "behavior in contrast to the ethics expected in a Board Trustee." She alleges Mr. Gonzalez "verbally attacked, bullied, insulted and disrespected" her during the August 31, 2018 meeting regarding the Student's AP Spanish Literature grade. Mrs. Baltazar did not allege discrimination on the basis of her membership in any protected class. She did allege that her employment was threatened. Based on the evidence provided by all the witnesses, although the discussion was neither cordial nor professional and Mr. Gonzalez questioned Mrs. Baltazar's competency, Mr. Gonzalez did not make statements to the effect that he would use his authority as a Board member to terminate Mrs. Baltazar's employment.

Both Mrs. Baltazar and Mr. Gonzalez engaged in inappropriate conduct during the August 31, 2018 meeting. The Student's Mother and the Student's Sister perceived Mrs. Baltazar's harsh criticism of the Student and her failure to greet them or make eye contact as disrespectful. The evidence shows Mrs. Baltazar only made eye contact with the Student.

The preponderance of the evidence indicates that Mrs. Baltazar was unprofessional when speaking to the Student and his family about their concerns. When the Student explained that he turned in all his work to the substitute teacher, Mrs. Baltazar pointed her finger at the Student, stating that he was a "mentiroso," or a "liar". She described the Student's work as "raquitico," or "thin", and claimed the Student "got lucky" when he received a passing score of four on the AP exam.

When Mr. Gonzalez asked if Mrs. Baltazar searched for the Student's missing work, she avoided the question and repeatedly responded that the Student "never turned in the work." She did not explain any steps she may have taken to locate the Student's 37 missing assignments at the end of the 2017-2018 school year. Mrs. Baltazar did not agree to search her classroom for the Student's work.

In June 2018, Mr. Gonzalez initially referred the grade complaint to Mr. Sanchez, the principal. However, when no action was taken during the summer, instead of referring the matter to the Superintendent, he attended the August 31, 2018 meeting with the Student's family. Once at the meeting, he was again inappropriate when he matched Mrs. Baltazar's tone in his advocacy for the student. Multiple witnesses reported that Mr. Gonzalez reacted to Mrs. Baltazar initially raising her voice at the Student. Mr. Gonzalez acknowledged that he responded in kind, raising his voice. He was aghast at the manner in which Mrs. Baltazar spoke to the student. He believed her refusal to conduct a search for the Student's missing work was unreasonable. She did not appear concerned that a failing grade could negatively impact the Student's future and college prospects.

Mrs. Baltazar perceived Mr. Gonzalez's statements as a threat to her job. However, while Mr. Gonzalez questioned Mrs. Baltazar's empathy for her students based upon her conduct towards the Student and her refusal to consider the possibility that he had indeed submitted the missing work, he did not threaten to use his authority as a Board member to terminate Mrs. Baltazar's employment. He understands that a Board member has no individual authority to dismiss employees.

2. Violation of Board Policy No. 4119.21 “Professional Standards”

Mrs. Baltazar

District Board Policy No. 4119.21 requires that employees exhibit professional behavior and exercise good judgment when interacting with others. The evidence shows that Mrs. Baltazar was unprofessional in her conduct during the August 31, 2018 meeting. She called the Student lazy, said his work was sloppy, and stated he “got lucky” with a passing score of a four on his AP exam. She refused to consider the possibility that the Student’s completed work was timely submitted and that she or another person misplaced the Student’s 37 missing assignments.

Further, Mrs. Baltazar did not maintain professional standards and boundaries when interacting with students. During her absence, Mrs. Baltazar sent text messages to two female students with instructions to relay messages to the class. It was inappropriate for her to ask students rather than the substitute teacher to make class announcements. It was unprofessional for Mrs. Baltazar to send pictures of her gradebook to a student via text message.

Mrs. Baltazar inappropriately showed favoritism to certain female students when granting assignment extensions. In one situation, Mrs. Baltazar allowed a student to turn in work from the first semester up until the end of the second semester. She also allowed a group of female students to turn in work after the school year ended by having one student drop off the work at her home.

Additionally, there is evidence that Mrs. Baltazar called male students “perezoso” or lazy when talking to them about their missing assignments. After a male student’s father confronted Mrs. Baltazar regarding his son’s submitted assignments which were misplaced, Mrs. Baltazar told his classmates that he was a “Daddy’s boy” who was lazy. Mrs. Baltazar subsequently found the student’s missing work and changed the student’s class grade from a D to an A.

Mr. Gonzalez

Witness testimony indicates that Mr. Gonzalez’s conduct on August 31, 2018 did not meet the professional standards stated in Board Policy No. 4119.21. Instead of referring the Student’s family to the Superintendent, he participated in the August 31, 2018 meeting based upon the Student’s Sister’s request. At the meeting, he spoke loudly as he responded to and criticized Mrs. Baltazar. If the Board is called upon to review or judge any decision the Superintendent may make in the grade change matter, he must recuse himself altogether from such participation, as he cannot advocate for the family and still render a neutral decision.

VII. DISPOSITION OF THE COMPLAINT AND RATIONALE

Allegation: Mrs. Sofia Y. Baltazar alleged that CVUSD Board member Mr. Jesus Gonzalez violated the trustee code of conduct and improperly interfered with school staff and

administration during a meeting on August 31, 2018 with a student and his family when Mr. Gonzalez told Mrs. Baltazar, “You have no heart” and “You should not be teaching!”

Disposition: Mr. Gonzalez did not refer the matter to the Superintendent in accordance with Board Policy No. 9200. He acknowledged that he expressed frustration at Mrs. Baltazar’s lack of empathy and unreasonable stance regarding the student’s concerns at the August 31, 2018 meeting with the Student’s family. However, the evidence shows that Mr. Gonzalez did not state that he intended to use his authority as a Board member to terminate Mrs. Baltazar’s employment. Board members do not have individual authority to dismiss District employees.

Rationale: All participants in the August 31, 2018 meeting were interviewed and gave accounts of a heated exchange between Mrs. Baltazar and Mr. Gonzalez during the meeting. Although Mrs. Baltazar perceived Mr. Gonzalez’s statements as a threat to her job because Mr. Gonzalez voiced criticism of Mrs. Baltazar, there is no evidence Mr. Gonzalez, the Board of Education, or District administration has initiated or will initiate the process to adopt dismissal charges against Mrs. Baltazar.

VIII. CONCLUSION AND RECOMMENDATIONS

Although both Mrs. Baltazar and Mr. Gonzalez exhibited unprofessional conduct during the August 31, 2018 meeting with the Student and his family, there is no evidence that Mr. Gonzalez threatened to use his authority as a Board member to initiate the dismissal process against Mrs. Baltazar.

Board members must be cognizant of their Board roles and responsibilities when interacting with District employees and when matters involving District students come before them. It is recommended that Mr. Gonzalez recuse himself from any Board consideration of a possible grade change. Mr. Gonzalez’s personal advocacy in the Student’s grade change complaint prevents him from acting as a neutral decision maker.

It is also recommended that Mrs. Baltazar demonstrate a professional demeanor toward students and that she refrain from addressing students in a demeaning and accusatory manner.

Additionally, it is recommended that Mrs. Baltazar reconsider her procedures for collecting and securely storing completed student work.

The CVUSD Board has the authority to hear any appeal by Mrs. Baltazar from this investigation initiated by the Superintendent. Because her complaint is against Mr. Gonzalez, he must not participate as a Board member in the event the complaint comes before the Board.

IX. NOTICE OF RIGHT TO APPEAL AND PROCEDURE TO APPEAL

Pursuant to CVUSD Administrative Regulation No. 1312.1, Complainant, the accused, or the Superintendent or designee may ask to address the Board regarding the complaint. To protect

the integrity of the process, Trustee Mr. Gonzalez must not participate in his capacity as a Board member in the event the Board reviews Mrs. Baltazar's complaint.

Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not be limited to:

- a. The full name of each employee involved.
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a defense.
- c. A copy of the signed original complaint.
- d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons.

The Board may uphold the Superintendent's decision without hearing the complaint. All parties to a complaint may be asked to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.

A closed session may be held to hear the complaint in accordance with law. The decision of the Board shall be final.

Respectfully submitted,

LAW OFFICES OF MARGARET A.
CHIDESTER & ASSOCIATES

Date: November 7, 2018

By: _____
Margaret A. Chidester
Attorney / Investigator
Superintendent's Designee

Date: November 7, 2018

By: _____
Katelyn R. Desbrow
Attorney / Investigator
Superintendent's Designee

Date: November 7, 2018

By: _____
Leslie J. Kim
Attorney / Investigator
Superintendent's Designee

COACHELLA VALLEY UNIFIED SCHOOL DISTRICT
School and/or CVUSD Personnel Complaint Form

Board Policy (BP) 1312, 1312.1 and Administrative Regulation (AR) 1312.1 address complaints concerning the school and/or district personnel. A copy of the policy and regulation is enclosed. Please describe the incident on the second page. You may attach additional pages if needed.

Name of Complainant Sofia Yolanda Baltazar
(person making complaint)

Address [REDACTED]
(Street (Mailing) City, Zip)

Telephone Numbers: Home [REDACTED] Work [REDACTED]
Cell [REDACTED]

Date on which incident occurred: Friday, August 31st, 2018.

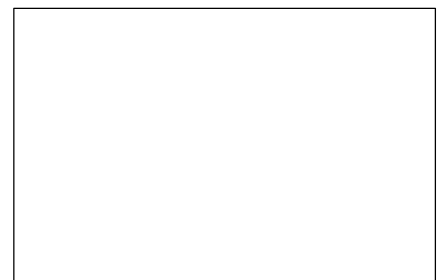
If this complaint is against a specific employee please give:

Name: Jesus Gonzalez Work Site CVUSD

Title: CVUSD board member

Complete the form (2 pages) and return to the attention of:

Assistant Superintendent of Human Resources
Coachella Valley Unified School District
87-225 Church Street – P.O. Box 847
Thermal, CA 92274
Phone: (760) 848-1091



Date Received:
Received by:

School and/or CVUSD Personnel Complaint Form

Nature of Complaint (describe in your own words the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint):

Please see attached PDF regarding the incident

(Attach additional pages, if necessary)

Have you discussed the complaint with a supervisor or site administrator?

Yes _____ No X

Give the dates and names(s) of person(s) to whom you have spoken:

State the result of the discussion:

Signed Sofia Yolanda Baltazar Date Wednesday, September 5th, 2018

THIS COMPLAINT FORM MUST BE FILED WITH THE APPROPRIATE SUPERVISORY EMPLOYEE WITHIN ESTABLISHED TIMELINES PURSUANT TO ADMINISTRATIVE REGULATIONS AR 4144 (a) and 4244.

September 2nd, 2018.

Dear Dr. Edwin Gomez and CVUSD Board of Trustees:

Coachella Valley Unified School District board members are public officials who are expected to adhere to the highest ethical standards in American governance. We elected them to serve the public, be available to receive input, comments and complaints from parents, employees and members of the public. Any questionable behavior can have far-reaching consequences, and unfortunately Mr. Jesus Gonzalez exhibits behavior in contrast to the ethics expected in a Board Trustee.

This is a formal complaint regarding the inappropriate, rude, threatening tactics and unprofessional behavior I witnessed from Mr. Jesus Gonzalez in a meeting I attended last Friday, August 31st, 2018. His intimidation tactics did not work with me even as I was verbally attacked, bullied, insulted and disrespected by Mr. Jesus Gonzalez, CVUSD board member.

Mr. Sanchez (CVHS principal) and Mrs. Sanchez (CVHS assistant principal) scheduled a meeting to meet with the parents of the Student (Student ID number [REDACTED]) to discuss the grade he received during the second semester in my AP Spanish Literature class, an F. I had no problem meeting with the parents and student as long as the meeting followed contract guidelines.

I met with Mr. Sanchez and Mrs. Sanchez before the meeting and I was advised by Mr. Sanchez to change the grade according to our *Educational code 49067 "Teacher shall arrange a conference with student failing class or send a written report to parents."* It was true: I had failed to send the failure notice home because I went through surgery two weeks before the end of the school year and I never imagined the Student would end up failing my class. I shared with Mr. and Mrs. Sanchez I would change the grade according to Ed. Code and give the student a D.

The meeting started around 2:15 pm in the office next to Mr. Sanchez. The Student, his mother, his sister and Mr. Jesus Gonzalez came into the meeting. CVHS administration failed to ask Mr. Gonzalez to leave because he claimed, "I am the Student's uncle." Mr. Sanchez informed the attendees that I was acknowledging my mistake in not sending the required failure notice and that the F would be changed to a D. From that moment on, Mr. Gonzalez did not stop talking, then he started talking rudely over both me and Principal Sanchez, and lastly, he was yelling uncontrollably for the rest of the meeting. During the 25 to 30 minutes I was in that meeting, Mr. Gonzalez threatened to fire me. When I told him I had been teaching for 43 years, he replied, "And you are still teaching? I will make sure you won't teach here anymore. I am a school board member." All of these comments were made in front of student and parent.

I felt he was directing the rest of the meeting. CVHS administration tried repeatedly to calm the situation by letting him know I was going to change the grade to a D. He did not like that. He said, "A D is not enough." (*Ed. Code 49066 the grade assigned by a teacher shall not be changed by the school board or the superintendent.*) I showed two gradebooks I have for my records, one written by hand and one from ABI. In both records, the Student has a 46 % and he clearly does not deserve more than an F. He demanded disrespectfully for me to go back

to my classroom and look for all the work the Student had turned in to me. I explained I only had a few assignments from the Student and he yelled, "Are you accusing this kid of being a liar? You have no heart. You should not be teaching!" In the 43 years of experience that I have teaching, I have never been in a situation like this. I had never seen this man before. I was shocked by his unprofessional behavior and I couldn't believe he was representing my school board. I later learned that the Student plays baseball on the team that Mr. Gonzalez helps coach, and believe this is why he was so intent on helping the boy get his way.

In my last attempt to bring the meeting to a closure, I said, "What else do you want me to do? Ok, the Student, I will give you two weeks to turn in all the work that you are missing." The student declined my offer and said, "No! That is a lot of work and not enough time." Mr. Gonzalez then repeated screaming, "You have no heart and I will make sure you are not teaching here anymore." After this, my daughter Bargaining Unit
Member No. 1 came into the office and advised me to leave the meeting.

In all my experience, I have never known a trustee to violate the code of conduct and improperly interfere with school staff and administration. Our School Board has always led the district with integrity and responsibility. We clearly need to put a stop to the impropriety and unethical behavior by this elected official because he undermines the public trust and integrity of the District.

At this time, I am requesting that Dr. Gomez and CVUSD board of trustees review the circumstances of this case and to give me the opportunity to meet with you in order to provide additional details I might have omitted. I appreciate your review in this personal matter and I hope you will recognize my attempt to rectify a situation that has gotten out of hand and is unbearable.

Attentively,

Sofia Y Baltazar
Spanish teacher, CVHS

September 5, 2018

To Whom It May Concern:

I am writing to express my disappointment and disapproval of Board Member Jesse González after an incident that occurred on Friday, August 31 at 3:00pm at Coachella Valley High School. I witnessed Mr. González aggressively attacking my mother, Mrs. Sofia Yolanda Baltazar, and my two administrators, Mr. Art Sánchez and Mrs. Socorro Sánchez.

I was aware of the meeting Mrs. Baltazar would be having regarding a student grade change on Friday after school. Like with any other meeting, my mother, my sister [Bargaining Unit Member No. 2] and myself were in touch up until the moment my mother left her classroom for the meeting. However, the mood changed the moment I received a text from my sister stating that Mr. González could be heard yelling at the meeting. I ran to the office. Along the way, I saw [the Principal's Secretary] who looked perplexed and nervous. My sister, [Bargaining Unit Member No.2], was outside of the Main Office's entrance, nervously walking back and forth and on the phone. I ran to the door and waited impatiently for a student to open it. There was another secretary there, but it was not [redacted], and at that moment I did not care about anything in the world other than stopping this man from yelling at my mother.

As soon as I stepped into the Main Office, Mr. González's voice could be hear. The distance to the office was approximately 10 yards and I could hear this man screaming. I ran to the door, and without thinking twice, opened it. The dialogue went like this:

[Bargaining Unit Member No.1] (Opens Door) ¡Ma, ya vamonos! (Mom, let's go!)

Mr. González: (Yelling with an angry tone, finger pointing at Mrs. Baltazar across the table, stops yelling across the table, stares at me with bulging eyes, and shiny red face, and then yells at me) Who the (hell) are you?

[Bargaining Unit Member No.1] (To Mr. González) I am her daughter! (To my mother) ¡Ma, ya párate, vámonos! (Mom, get up, let's go!)

Mr. González: (Yells at me, with bulging eyes, and shiny red face) And?!

[Bargaining Unit Member No.1] And I work here! (Pause, then I point at him) And WE voted you in!

Mrs. Baltazar: (Quietly gets up and leaves the room).

Once we were outside, we met with [Principal's Secretary] again, and was so concerned about my mother's health that she gave her a candy. My sister and I then took my mother to her classroom. Mrs. Sánchez showed up minutes later to check on my mother's health. We left campus once we felt "calmer."

Days later, I am still affected by this man's raging behavior towards my mother, my family and my administrators. He has no right to verbally and psychologically abuse anyone in our district and in our community. His disgraceful behavior reflected negatively not only on himself but on the district itself. I ask that this Board Member be reprimanded for verbally assaulting and abusing Mrs. Baltazar and disrespecting the CVHS campus. We, as teachers, cannot be

assaulted or abused in this manner. His behavior was disgraceful, unprofessional and ridiculous. It must be stopped.

Attentively,

Bargaining Unit Member No.1

Spanish Teacher
Coachella Valley High School

September 2nd, 2018.

Dr. Edwin Gomez and CVUSD Board of Trustees,

I am a proud alumni of Coachella Valley High School and a teacher at CVUSD who is at disbelief of the events that happened in a meeting at CVHS. I had never witnessed the unprofessionalism and bad mannered behavior from one of our Coachella Valley Unified School Board of Trustees. In all my 23 years of teaching experience in our district, a board member has always practiced due diligence when visiting schools and speaking to school personnel. This was clearly not the case for Mr. Jesus Gonzalez. During the meeting Mr. Art Sanchez and Mrs. Socorro Sanchez scheduled on Friday, August 31st, 2018 at 2:10 pm with the parents of the Student (a student at CVHS), Mr. Gonzalez attempted to exercise individual authority over the operation of the school district policies.

There is a line of demarcation for Mr. Jesus Gonzalez to avoid abusing and intimidating faculty, staff, and administrators in a school where he has a family member. In this case, Mr. Jesus Gonzalez is not related to student. He lied, he is NOT the Student's uncle. I made my own personal investigation within our community, family members, students, teachers, baseball coaches and parents. I encourage you to do the same.

“Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the Superintendent. Board members shall refer Board-related correspondence to the Superintendent for forwarding to the Board or for placement on the Board's agenda, as appropriate” <http://www.gamutonline.net/district/coachellavalley/displayPolicy/123257/9>

My sister and I were aware of this meeting and before the meeting, we made sure my mom knew what was going to happen. I went over the procedure with my mother on how the meeting was going to be run. I also explained that nobody else but the parents, student, herself and CVHS administration had to be present. If anyone else stepped into that meeting, I told her to end the meeting and excuse herself. We didn't ask for a union rep for my mother because we thought CVHS administration was going to be enough to run a good organized meeting. I left the front office (2:14 pm) before the meeting started but I did see Mr. Gonzalez sitting outside Mr. Sanchez's office with a smirk on his face. When the time to meet came, Mr. Jesus Gonzalez (who presented himself as the uncle of the student) went inside the meeting without me knowing this had happened because I was already in my classroom.

At 2:25 pm I texted my sister that Mr. Jesus Gonzalez was on campus and outside Mr. Sanchez's office. At 2:32 pm I asked my sister not to leave school because I suspected something was going to happen. At 2:35 pm I went back to the office. I got to the office at 2:38 pm and that is when I heard Mr. Gonzalez screaming. I was outside Mr. Sanchez's office with [REDACTED] (CVHS secretary) and I asked her:

the Principal's Secretary

Me: “How long has he been inside with everyone?”

The Principal's Secretary: Since your mom went inside.

Me: Has he been screaming all this time?

The Principal's Secretary: Yes. (She left the office)

(This conversation with [REDACTED] lasted 4 to 5 minutes)

the Principal's Secretary

From 2:43 pm to 2:48 pm I kept hearing Mr. Jesus Gonzalez screaming a lot of things. I do not remember everything but these 4 statements because he repeated them more than once:

1. "Do you know who I am? I represent the district."
2. "Are you calling him a liar? You are a teacher with no heart."
3. "And you're still teaching here? I'll make sure you get fired."
4. "He cannot get that grade because it is not good enough."

From 2:49 pm to 2:52 pm I texted my sister:

2:49/2:50 I texted: "Vente rápido. Jesus Gonzalez esta gritando. Te estoy esperando" (Come quickly. Jesus Gonzalez is screaming. I am waiting for you.)

2:51 I texted: "She needs to get out of the meeting, I am outside on the phone trying to get directions on how to proceed. If you don't get here now, I am going in."

My sister came running from the counseling office, went in the office where my mom was in the meeting and got her out. I was on the phone trying to receive instructions on how to proceed with the situation. I was really upset and I didn't want to be unprofessional, walk into that meeting and say something that I would have regretted later.

Mr. Jesus Gonzalez needs to avoid the perception of making special requests, bending rules, intimidation and threats of retribution. District employees at all levels (administrators, teachers and staff) must be confident that the rules of conduct governing their roles and responsibilities regarding a student are the same regardless of whether a trustee is related to a student or has some other special interest in the student.

(The Governing Board recognizes that the Board is the unit of authority over the district and that a Board member has no individual authority. Board members shall hold the education of students above any partisan principle, group interest, or personal interest.)

<http://www.gamutonline.net/district/coachellavalley/displayPolicy/123257/9>

Attentively,

Bargaining Unit Member No.2

Coachella Valley USD | BP 1312.1 Community Relations

Complaints Concerning School Personnel

The Governing Board accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

(cf. 1312.2 - Complaints Concerning Instructional Material)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3515.2 - Disruptions)

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints unless it so desires.

Addressing the Board

The Board respects the right of members of the public to speak to the Board regarding matters on the agenda and other matters within the jurisdiction of the Board. however, it is important for members of the public to understand that derogatory comments against district employees, or others, made in a Board meeting can be actionable as defamation under certain circumstances. In addition, derogatory comments made at a Board meetings, which are repeated outside the context of a Board meeting, also may be actionable as defamation.

In addition, the Board wishes to make clear that it is bound by the limitations set forth in Government Code 54957, which states that when specific complaints or charges are to be made against a district employee, such employee has the right to have such complaints heard in closed session and to be given prior notice that such complaints will be heard by the Board. Therefore, members of the public who wish to lodge complaints against district employees are reminded that the Board cannot properly consider such complaints without giving prior notice to the named employee.

Procedure for filing such complaints are outlined in the Administration Regulation 1312.1.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

Management Resources:

CDE LEGAL ADVISORIES

0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)

Policy COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

adopted: July 24, 1996 Thermal, California

revised: November 28, 2000

Complaints Concerning School Personnel

Complaint Procedures

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel, and/or other district procedures.

(cf. 1312.2 - Complaints Concerning Instructional Material)

(cf. 1312.3 - Uniform Complaint Procedures)

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints against district employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal.
3. All complaints related to district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to a Board member or to the Superintendent shall be initially filed in writing with the Board.
4. When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements.
5. A written complaint must include:
 - a. The name of each employee involved,
 - b. A brief but specific summary of the complaint and the facts surrounding it, and
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.
6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.
7. The complainant may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.
8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not be limited to:
 - a. The full name of each employee involved.

b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a defense.

c. A copy of the signed original complaint.

d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons.

9. The Board may uphold the Superintendent's decision without hearing the complaint.

10. All parties to a complaint may be asked to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.

11. A closed session may be held to hear the complaint in accordance with law.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9323 - Meeting Conduct)

12. The decision of the Board shall be final.

Complaints Regarding Child Abuse

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

Regulation COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

approved: July 24, 1996 Thermal, California

revised: May 24, 2001

Student Name The Student	Stu#	Grade	Sex	Birthdate	Student ID	Counselor	Transcript of Student Progress Accredited by WASC October 2, 2018 Coachella Valley High School 83800 Airport Blvd Thermal, CA 92274 (760) 399-5183 Fax (760) 399-0089
Parent/guardian name, address, telephone The Student's Parents				Barg. Unit No. 4			

Crs-ID	Course Title	Mark	Att/Cmp	Crs-ID	Course Title	Mark	Att/Cmp
Grade 9 Fall Semester 2015-2016				Credit Att: 30.00 Cmp: 30.00 AGPA: 4.60			
Coachella Valley High School				Grade 11 Fall Semester 2017-2018			
+ p	110001 Eng 1 Hon	A	5.00 5.00	a p	110445 EngLang&CompA B	5.00 5.00	
+ p	322345 Int Math 2 Hon	A	5.00 5.00	a p	216150 US History AP	A	5.00 5.00
+ p	430350 Bio 1 Hon	A	5.00 5.00	+ p	320850 PreCalcHon	A	5.00 5.00
p	540453 Span II	A	5.00 5.00	p	435450 Chemistry	A	5.00 5.00
*	827855 PE 1	A	5.00 5.00	a p	540400 Span Lit AP	A	5.00 5.00
Credit Att: 25.00 Cmp: 25.00 AGPA: 4.38				p	AVID11 AVID 11	A	5.00 5.00
Grade 9 Spring Semester 2015-2016				Credit Att: 30.00 Cmp: 30.00 AGPA: 4.42			
Coachella Valley High School				Grade 11 Spring Semester 2017-2018			
+ p	110001 Eng 1 Hon	A	5.00 5.00	a p	110445 EngLang&CompA A	5.00 5.00	
+ p	322345 Int Math 2 Hon	A	5.00 5.00	a p	216150 US History AP	A	5.00 5.00
+ p	430350 Bio 1 Hon	A	5.00 5.00	+ p	320850 PreCalcHon	A	5.00 5.00
p	540453 Span II	A	5.00 5.00	p	435450 Chemistry	A	5.00 5.00
*	827855 PE 1	A	5.00 5.00	a p	540400 Span Lit AP	F	5.00 0.00
	987150 Avid 1	A	5.00 5.00	p	AVID11 AVID 11	A	5.00 5.00
Credit Att: 30.00 Cmp: 30.00 AGPA: 4.30				Credit Att: 30.00 Cmp: 25.00 AGPA: 3.75			
Grade 10 Fall Semester 2016-2017							
Coachella Valley High School							
+ p	110250 Eng 2 Hon	A	5.00 5.00				
a p	215065 AP Euro History	A	5.00 5.00				
+ p	322336 Int Math3 Honor	A	5.00 5.00				
a p	540390 Span Lang AP	A	5.00 5.00				
*	827100 PE Condition	A	5.00 5.00				
	987160 Avid 2	A	5.00 5.00				
Credit Att: 30.00 Cmp: 30.00 AGPA: 4.60							
Grade 10 Spring Semester 2016-2017							
Coachella Valley High School							
+ p	110250 Eng 2 Hon	A	5.00 5.00				
a p	215065 AP Euro History	A	5.00 5.00				
+ p	322336 Int Math3 Honor	A	5.00 5.00				
a p	540390 Span Lang AP	A	5.00 5.00				
*	827100 PE Condition	A	5.00 5.00				
	987160 Avid 2	A	5.00 5.00				

Course Tags: * = Non Academic + = Honors (weighted) a = Advanced Placement (weighted) p = College Prep r = Repeated																																																																																																					
Weighted Non-Wgtd Acad GPA (9-12) 4.3226 3.8387 Acad GPA (10-12) 4.3182 3.7727 Total GPA (9-12) 4.2857 3.8571 Credit Attempted: 175.00 Credit Completed: 170.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Date</th> <th>Test Taken</th> <th>Score</th> </tr> <tr> <td>05/18</td> <td>SAT Rdng/Wrt 580 Math 560</td> <td>1140</td> </tr> <tr> <td>10/17</td> <td>PSAT Rdng/Wrt 560 Math 540</td> <td>1100</td> </tr> <tr> <td>05/18</td> <td>AP: US History</td> <td>1</td> </tr> <tr> <td>05/18</td> <td>AP: English Lang & Comp</td> <td>3</td> </tr> <tr> <td>05/18</td> <td>AP: Spanish Literature</td> <td>4</td> </tr> <tr> <td>05/17</td> <td>AP: European History</td> <td>2</td> </tr> <tr> <td>05/17</td> <td>AP: Spanish Language</td> <td>5</td> </tr> </table>	Date	Test Taken	Score	05/18	SAT Rdng/Wrt 580 Math 560	1140	10/17	PSAT Rdng/Wrt 560 Math 540	1100	05/18	AP: US History	1	05/18	AP: English Lang & Comp	3	05/18	AP: Spanish Literature	4	05/17	AP: European History	2	05/17	AP: Spanish Language	5	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th rowspan="2">Subject Area</th> <th colspan="3">CREDIT SUMMARY</th> </tr> <tr> <th>Credit Req'd</th> <th>Compl</th> <th>Needed</th> </tr> <tr> <td>English 09</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>English 10</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>English 11</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>English 12</td> <td>10.00</td> <td>-</td> <td>10.00</td> </tr> <tr> <td>World History</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>American History</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>Am Government</td> <td>5.00</td> <td>-</td> <td>5.00</td> </tr> <tr> <td>Economics</td> <td>5.00</td> <td>-</td> <td>5.00</td> </tr> <tr> <td>Life Science</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>Physical Science</td> <td>10.00</td> <td>10.00</td> <td>-</td> </tr> <tr> <td>Math</td> <td>30.00</td> <td>30.00</td> <td>-</td> </tr> <tr> <td>Physical Education</td> <td>20.00</td> <td>20.00</td> <td>-</td> </tr> <tr> <td>Foreign Language</td> <td>20.00</td> <td>20.00</td> <td>-</td> </tr> <tr> <td>F Arts/Foren Lang</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Fine Arts</td> <td>10.00</td> <td>-</td> <td>10.00</td> </tr> <tr> <td>Elective</td> <td>50.00</td> <td>30.00</td> <td>20.00</td> </tr> <tr> <td>* TOTALS *</td> <td>220.00</td> <td>170.00</td> <td>50.00</td> </tr> </table>	Subject Area	CREDIT SUMMARY			Credit Req'd	Compl	Needed	English 09	10.00	10.00	-	English 10	10.00	10.00	-	English 11	10.00	10.00	-	English 12	10.00	-	10.00	World History	10.00	10.00	-	American History	10.00	10.00	-	Am Government	5.00	-	5.00	Economics	5.00	-	5.00	Life Science	10.00	10.00	-	Physical Science	10.00	10.00	-	Math	30.00	30.00	-	Physical Education	20.00	20.00	-	Foreign Language	20.00	20.00	-	F Arts/Foren Lang	-	-	-	Fine Arts	10.00	-	10.00	Elective	50.00	30.00	20.00	* TOTALS *	220.00	170.00	50.00
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District Enter: 9/5/2006 School Enter: 8/20/2015 <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Class of 2019</div>	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
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State ID# XXXXXXXXXX

Transcript is official when signed and
embossed by school official.

Signature: _____

Date: _____

Exhibit G
Page 1 of 2

Spanish Lit AP - Spring - PD 4

Student Assignments

Baltazar, Y.

The Student

Grd: 11

08/30/2018 02:44 PM

#	Category	Description	Assgnd	# Correct	# Correct Possible	Points Earned	Points Possible	%	Complt'd	Due	Counts
1	Tareas y trabajos en	Biografía de Miguel de Cervantes	01/09/18	25	25	25	25	100%	01/09/18	01/09/18	Yes
2	Proyectos y	Don Quijote de la Mancha infantil	01/12/18	75	75	75	75	100%	01/12/18	01/12/18	Yes
3	Proyectos y	Cap.I, Cap. II, Cap. III Cap.IV,	01/19/18	240	240	240	240	100%	01/19/18	01/19/18	Yes
4	Formative Assessments	Análisis de personajes	01/23/18	30	30	30	30	100%	01/23/18	01/23/18	Yes
5	Proyectos y	Temas	01/25/18	30	30	30	30	100%	01/25/18	01/25/18	Yes
6	Proyectos y	Simbolos	01/26/18	30	30	30	30	100%	01/26/18	01/26/18	Yes
7	Formative Assessments	Ensayo. Don Quijote de la Mancha	01/29/18	47	50	47	50	94%	01/29/18	01/29/18	Yes
8	Summative	Don Quijote de la Mancha carpeta	02/02/18	100	100	100	100	100%	02/02/18	02/02/18	Yes
9	Tareas y trabajos en	El burlador de Sevilla y convidado	02/08/18	75	75	75	75	100%	02/08/18	02/08/18	Yes
10	Formative Assessments	Jornada primera	02/09/18	100	100	100	100	100%	02/09/18	02/09/18	Yes
11	Tareas y trabajos en	Jornada segunda	02/13/18	75	75	75	75	100%	02/13/18	02/13/18	Yes
12	Formative Assessments	Jornada tercera	02/15/18	75	75	75	75	100%	02/15/18	02/15/18	Yes
13	Formative Assessments	Cuestionario e toda la obra.	02/16/18	25	25	25	25	100%	02/16/18	02/16/18	Yes
14	Tareas y trabajos en	Temas	02/19/18	25	25	25	25	100%	02/19/18	02/19/18	Yes
15	Tareas y trabajos en	Simbología con citas	02/19/18	25	25	25	25	100%	02/19/18	02/19/18	Yes
16	Formative Assessments	Personajes	02/20/18	25	25	25	25	100%	02/20/18	02/20/18	Yes
17	Summative	El burlador de Sevilla y convidado	02/21/18	48	50	48	50	92%	02/21/18	02/21/18	Yes
18	Summative	El burlador de Sevilla y convidado	02/22/18	95	100	95	100	95%	02/22/18	02/22/18	Yes
19	Summative	En una tempestad	02/23/18	44	50	44	50	88%	02/23/18	02/23/18	Yes
20	Proyectos y	Jose Maria Heredia: carpeta	02/26/18	95	100	95	100	95%	02/26/18	02/26/18	Yes
21	Tareas y trabajos en	Rima LIII	02/27/18	48	50	48	50	96%	02/27/18	02/27/18	Yes
22	Proyectos y	Gustavo Adolfo Becquer	02/28/18	100	100	100	100	100%	02/28/18	02/28/18	Yes
23	Formative Assessments	Las medias rojas	03/01/18	48	50	48	50	96%	03/01/18	03/01/18	Yes
24	Proyectos y	Emilia Pardo Bezan: carpeta	03/02/18	95	100	95	100	95%	03/02/18	03/02/18	Yes
25	Summative	El hijo	03/05/18	48	50	48	50	96%	03/05/18	03/05/18	Yes
26	Formative Assessments	Horacio Quiroga: carpeta	03/06/18	95	100	95	100	95%	03/06/18	03/06/18	Yes
27	Summative	Nuestra America por Jose Martí	03/07/18	48	50	48	50	96%	03/07/18	03/07/18	Yes
28	Formative Assessments	Jose Martí: carpeta	03/08/18	95	100	95	100	95%	03/08/18	03/08/18	Yes
29	Proyectos y	A Roosevelt de Ruben Dario	03/09/18	48	50	48	50	96%	03/09/18	03/09/18	Yes
30	Formative Assessments	Ruben Dario: carpeta	03/12/18	95	100	95	100	95%	03/12/18	03/12/18	Yes
31	Summative	He andado muchos caminos de	03/14/18	[]	50	[]	50			03/14/18	Yes
32	Summative	Antonio Machado: carpeta	03/16/18	[]	100	[]	100			03/16/18	Yes
33	Summative	Walking around	03/21/18	[]	50	[]	50			03/21/18	Yes
34	Proyectos y	Pablo Neruda	03/28/18	[]	100	[]	100			03/28/18	Yes
35	Summative	Balada de los dos abuelos	04/06/18	[]	50	[]	50			04/06/18	Yes
36	Proyectos y	Nicolas Guillen	04/12/18	[]	100	[]	100			04/12/18	Yes
37	Summative	Fichas de biografías y trabajos de	04/13/18	[]	150	[]	150			04/13/18	Yes
38	Formative Assessments	Prendimiento de Antonito el	04/16/18	[]	50	[]	50			04/16/18	Yes
39	Formative Assessments	Muerte de Antonito el camborio	04/17/18	[]	50	[]	50			04/17/18	Yes
40	Formative Assessments	Romance de la luna, luna	04/18/18	[]	50	[]	50			04/18/18	Yes
41	Formative Assessments	La monja gitana	04/19/18	[]	50	[]	50			04/19/18	Yes
42	Formative Assessments	La pena negra	04/20/18	[]	50	[]	50			04/20/18	Yes
43	Formative Assessments	Romance sonambulo	04/23/18	[]	50	[]	50			04/23/18	Yes
44	Summative	Federico Garcia Lorca. Carpeta	04/24/18	[]	150	[]	150			04/24/18	Yes
45	Proyectos y	Paso ancestral de Alfonsina	04/25/18	[]	150	[]	150			04/25/18	Yes
46	Proyectos y	A Julia de Burgos de Julia de	04/26/18	[]	150	[]	150			04/26/18	Yes
47	Proyectos y	Mujer negra de Nancy Morejon.	04/27/18	[]	150	[]	150			04/27/18	Yes
48	Formative Assessments	Soneto XXIII de Garcilaso de la	04/30/18	[]	150	[]	150			04/30/18	Yes
49	Formative Assessments	San Manuel Bueno, mártir de	05/01/18	[]	50	[]	50			05/01/18	Yes
50	Summative	San Manuel Bueno, mártir de	05/02/18	[]	150	[]	150			05/02/18	Yes
51	Formative Assessments	No oyes ladrar los perros de Juan	05/03/18	[]	50	[]	50			05/03/18	Yes

Exhibit G
Page 2 of 2

Spanish Lit AP - Spring - PD 4

Student Assignments

Baltazar, Y.

The Student

Grd: 11

08/30/2018 02:44 PM

#	Category	Description	Assignd	# Correct	Possible	Points Earned	Points Possible	%	Compltd	Due	Counts
52	Summative	El sur y Borges y yo de Jorge	05/04/18	[]	200	[]	200			05/04/18	Yes
53	Proyectos y	Juan Rulfo. Carpeta completa.	05/03/18	[]	100	[]	100			05/03/18	Yes
54	Formative Assessments	La noche boca arriba de Julio	05/07/18	[]	150	[]	150			05/07/18	Yes
55	Summative	El ahogado mas hermoso del	05/09/18	[]	200	[]	200			05/09/18	Yes
56	Formative Assessments	Chac Mool	05/10/18	[]	50	[]	50			05/10/18	Yes
57	Proyectos y	Carlos Fuentes. Carpeta	05/11/18	[]	100	[]	100			05/11/18	Yes
58	Formative Assessments	Historia de un hombre que se	05/14/18	[]	50	[]	50			05/14/18	Yes
59	Proyectos y	Osvaldo Dragun. Carpeta	05/15/18	[]	100	[]	100			05/15/18	Yes
60	Proyectos y	Dos palabras	05/16/18	[]	50	[]	50			05/16/18	Yes
61	Summative	Isabel Allende. Carpeta completa.	05/17/18	[]	100	[]	100			05/17/18	Yes
62	Tareas y trabajos en	Como la vida misma	05/18/18	[]	50	[]	50			05/18/18	Yes
63	Formative Assessments	Rosa Montero. Carpeta completa.	05/21/18	[]	100	[]	100			05/21/18	Yes
64	Summative	Y no se lo trago la tierra... y La	05/22/18	[]	200	[]	200			05/22/18	Yes
65	Proyectos y	Mi caballo mago	05/23/18	[]	50	[]	50			05/23/18	Yes
66	Summative	Sabine Ulibarri. Carpeta completa.	05/24/18	[]	100	[]	100			05/24/18	Yes
67	Summative	La casa de Bernarda Alba.	05/25/18	[]	200	[]	200			05/25/18	Yes
68	Proyectos y	Presentación del autor.	05/28/18	90	100	90	100	90%	05/28/18	05/28/18	Yes
69	Proyectos y	Proyecto de autor.	05/29/18	170	200	170	200	85%	05/29/18	05/29/18	Yes
70	Summative	Análisis oral de la presentación de	05/30/18	50	50	50	50	100%	05/30/18	05/30/18	Yes
71	Summative	Declamación de un poema.	05/31/18	70	100	70	100	70%	05/31/18	05/31/18	Yes
72	Proyectos y	Servicio social comunitario.	06/01/18	150	150	150	150	100%	06/01/18	06/01/18	Yes

Category	% of Grd	Points Earned	Points Possible	Perc	Mark
Tareas y trabajos en clase	20	273	325	84%	B
Proyectos y presentaciones	20	1123	2225	50.47%	F
Formative Assessments	30	635	1555	40.83%	F
Summative Assessments	30	501	2250	22.26%	F
Total				45.82%	F



From: The Student's Sister
Sent: Wednesday, August 01, 2018 1:12 PM
To: 'Sanchez Jr, Arthur'
Cc: The Student
Subject: RE: The Student

Good Afternoon Mr. Sanchez,

Hope all is well. Per our phone conversation a few weeks back you mentioned Mrs. Baltazar would be back in August – I was just checking to see if I can arrange a meeting with you and her as soon as possible, preferably before the school year begins. As you know, the Student will be starting his Senior year, he will be applying to different colleges and universities and that “F” on his transcript could potentially affect the odds of being accepted.

Again, thank you for your attention to this matter,

The Student's Sister

From: Sanchez Jr, Arthur [mailto:arthur.sanchez@cvusd.us]
Sent: Thursday, June 21, 2018 11:41 AM
To: The Student's Sister
Cc: Gonzalez, Jesus R.; The Student
Subject: RE: The Student

We have reached out Mrs. Baltazar regarding the Student's final grade in AP Spanish Literature. She stated that he did not turn in all of the missing work; therefore, the failing grade is what he earned. In looking at his assignments, he is missing 36 assignments from March 14 – May 25; 14 of these assignments were Summative Assessments, 10 were Projects/Presentations, and 13 were Formative Assessments. In my telephone conversation with the Student, he stated that he turned in Literary Reviews to the sub; however, there were additional assignments that were not submitted.

Education Code 49066 states the only person who can make an official grade change would be Mrs. Baltazar, the next step would be scheduling a meeting with Mrs. Baltazar in August where this can further discussed.

Arthur Sanchez Jr.

From: The Student's Sister
Sent: Thursday, June 21, 2018 10:32 AM
To: Sanchez Jr, Arthur <arthur.sanchez@cvusd.us>
Cc: Gonzalez, Jesus R. <jesus.gonzalez@cvusd.us>; The Student
Subject: The Student

Good Morning Mr. Sanchez,

My name is _____, I am the Student's _____ sister. I was just checking to see if you had an update regarding the status of his grade in AP Spanish Literature class. This has been an ongoing situation for a couple weeks now, initially the Student reached out to his teacher, Mrs. Baltazar, his counselor, Barg. Unit No. 4, and his ASB advisor, and as of yet we have not received any feedback. I don't know if this is a time sensitive matter but I don't want to reach the point where it's too late to change his grade. If it helps, I would gladly arrange to meet with you and any of your faculty members to resolve this issue. If you have any questions you can reach me at _____

Thank you for your time,
The Student's Sister

From: The Student's Sister
Sent: Thursday, October 4, 2018 4:13 PM
To: Katelyn R. Desbrow; edwin.gomez@cvusd.us; josie.paredes@cvusd.us
Cc: arthur.sanchez@cvusd.us; The Student
Subject: RE: The Student

Good Afternoon Dr. Gomez ,Ms. Desbrow and Staff,

Todaythe Studentasked his former English teacher, [Bargaining Unit Member No. 3] for a letter of recommendation and she refused to do it. Her response was that she was disappointed in him for allowing Mr. Gonzalez to be a part of the meeting and for yelling at Mrs. Baltazar. Is this not considered retaliation on her behalf? Should I attain legal representation? This is ridiculous, it is getting out of hand and I desperately need your assistance. Please advise.

Thank you,
The Student's Sister



Coachella Valley High School

83-800 Airport Blvd. • Thermal, CA 92274

Telephone (760) 399-5183 • FAX (760) 399-0089

Student Description of Incident Statement

Student Name: The Student Grade: 12 Date of incident: 10/4/18

Student ID#: [REDACTED] Location of incident: Room 117

Who was involved in this incident? Bargaining Unit Member No. 3 and myself

How did the incident start? I went in to ask for a letter of recommendation for my senior scholarship portfolio.

What happened during the incident? After school, I went over to

**Bargaining Unit Member
No. 3's**

classroom to ask for a letter of recommendation because I felt she is one my top references, since I've known her since freshmen year & I feel she knows me best. After giving her my file sheet with my resume', she insisted that she felt uncomfortable writing a letter of recommendation for me because she was aware ~~that~~ of how the parent meeting with Mrs. Baltazar had gone. She had specifically mentioned that she was disappointed in me for allowing my uncle to raise his voice at her. I tried to reason and explain to her that he only raised his voice because Mrs. Baltazar began using pointed language and raised her voice at me. There after, she insisted that Mrs. Baltazar is "old school" type & she considers her grading to be meticulous, but she could've made a mistake, but overall was disappointed because she didn't see that out of me, a respectful & responsible student. To conclude, she once again denied to write me a letter of recommendation, so I politely excused myself out of her classroom & told her to "have a nice day, miss."

(approx: 2:10 pm)

From: Sanchez, Socorro A.
Sent: Tuesday, June 19, 2018 11:44 AM
To: Baltazar, Sofia Y.
Subject: Re: The Student

Buenos Dias

Muchisimas gracias por contestar; usted tiene que estar descansando. Gracias por la explicacion; el estudiante dijo que le entrego el trabajo al sub.

Cuidese y descanse. Nos vemos en Agosto.

Respectfully,

Socorro Sanchez

From: Baltazar, Sofia Y.
Sent: Tuesday, June 19, 2018 11:35:58 AM
To: Sanchez, Socorro A.
Subject: Fwd:The Student

Buenos días Ms. Sanchez:

Aqui me estoy recuperando, he seguido todas las indicaciones del doctor. Con respecto a este the Student lo siento, pero no entregó ni la quinta parte del segundo semestre. Faltó mucho, no leía, no entrego trabajos de autores y con una presentación final muy deficiente. Si usted se fija tiene un porcentaje muy bajo. No se preocupe, usted tiene mucho trabajo y me da pena que por mi reciba esta clase de noticias. Ojalá que le toque descansar un poquito de este verano.

Reciba muchos saludos.

Atentamente,

Sra. Baltazar

Begin forwarded message:

From: "Sanchez, Socorro A." <socorro.sanchez@cvusd.us>
Subject: The Student
Date: June 18, 2018 at 11:53:39 AM PDT
To: "Baltazar, Sofia Y." <yobaltazar@cvusd.us>

Buenos Dias Sra. Baltazar,

Espero que se sienta mejor! The Student (), reprovo su clase de AP Lit (4 periodo).

Según él, le entregó sus trabajos que le hacian falta antes de que usted se fuera para su cirugía.

Sé que son las vacaciones de verano, hablaremos cuando regrese en Agosto. Por lo tanto cuidese y que tenga un buen verano.

Gracias

Respectfully,
Socorro Sanchez

From: Socorro A. Sanchez
Subject: The Student
Date: June 18, 2018 at 11:53 AM
To: Sofia Y. Baltazar

Buenos Dias Sra. Baltazar,

Espero que se sienta mejor! The Student (), reprovó su clase de AP Lit (4 periodo).

Según él, le entregó sus trabajos que le hacían falta antes de que usted se fuera para su cirugía. Sé que son las vacaciones de verano, hablaremos cuando regrese en Agosto. Por lo tanto cuídese y que tenga un buen verano.

Gracias

English Translation:

Good morning Mrs. Baltazar,

I hope you feel better! The Student (), failed his AP Lit class (4 period). According to him, he gave you his work that were missing before you left for your surgery. I know it's summer vacation, we'll talk when you return in August. Therefore take care and have a good summer.

Thank you.

From: Sofia Y. Baltazar
Subject: Fwd: The Student
Date: June 19, 2018 at 11:35 AM
To: Socorro A. Sanchez

Buenos días Ms. Sanchez:

Aquí me estoy recuperando, he seguido todas las indicaciones del doctor. Con respecto a este the Student . lo siento, pero no entregó ni la quinta parte del segundo semestre. Faltó mucho, no leía, no entrego trabajos de autores y con una presentación final muy deficiente. Si usted se fija tiene un porcentaje muy bajo. No se preocupe, usted tiene mucho trabajo y me da pena que por mi reciba esta clase de noticias. Ojalá que le toque descansar un poquito de este verano.

Reciba muchos saludos.

Atentamente,

Sra. Baltazar

English Translation:

Good morning Ms. Sanchez:

Here I am recovering, I have followed all the indications of the doctor. With respect to this the Student . I'm sorry, but he did not give even the fifth part of the second semester. Missed a lot, did not read, did not deliver works by authors and with a very poor final presentation. If you notice it, he had very low percentage. Do not worry, you have a lot of work and I'm sorry that you receive this kind of news for me. I hope it's time to rest a little bit this summer.

Receive many greetings.

Sincerely,

Mrs. Baltazar

From: Socorro A. Sanchez

Subject: Re: The Student

Date: June 19, 2018 at 11:44 AM

To: Sofia Y. Baltazar

Buenos Dias

Muchisimas gracias por contestar; usted tiene que estar descansando. Gracias por la explicacion; el estudiante dijo que le entrego el trabajo al sub.

Cuidese y descanse. Nos vemos en Agosto.

Respectfully,

Socorro Sanchez

English Translation:

Good morning.

Thank you very much for answering; you have to be resting. Thanks for the explanation; the student said that he handed the work to the sub.

Take care and rest. See you in August.

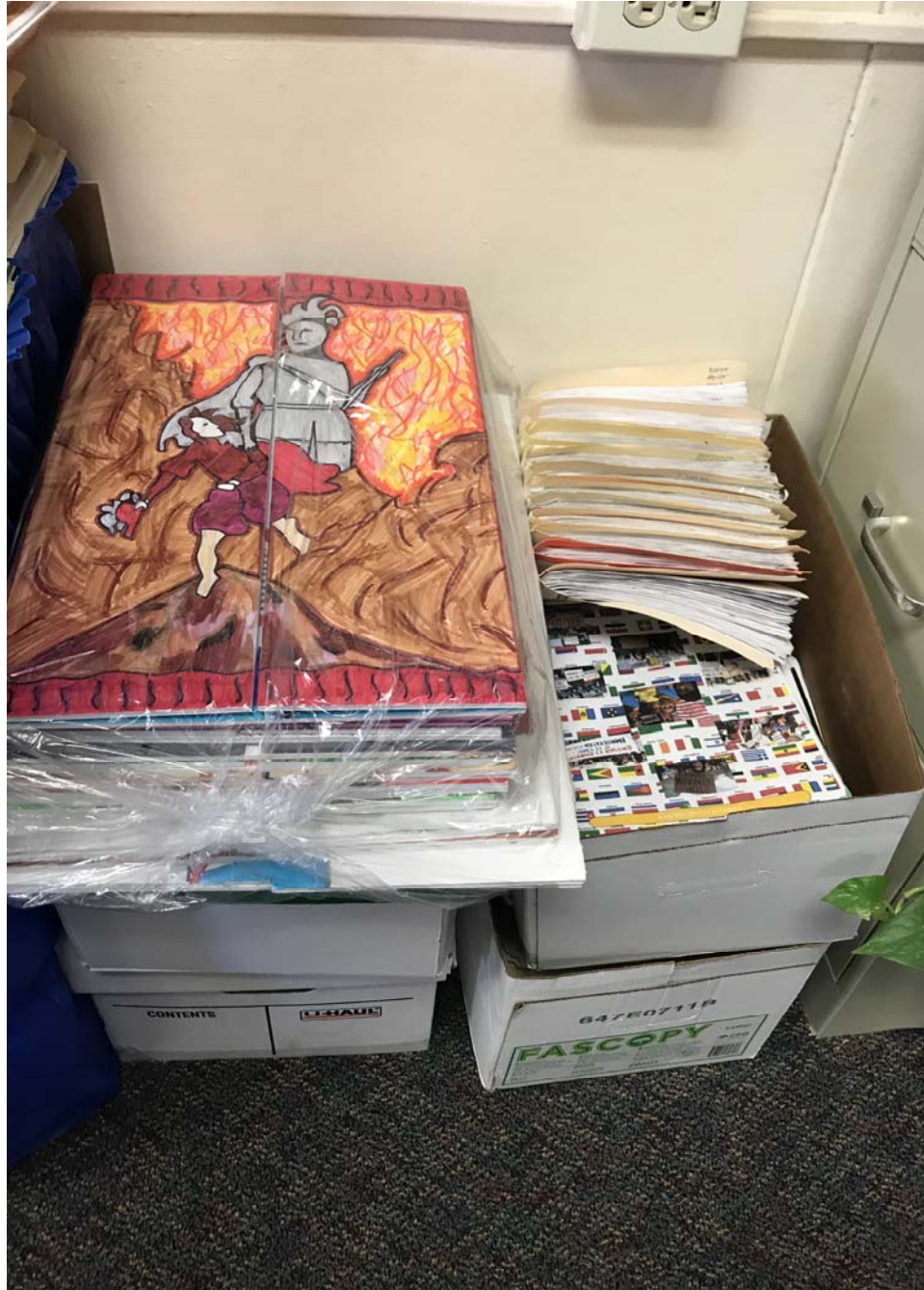
Respectfully,

Socorro Sanchez.





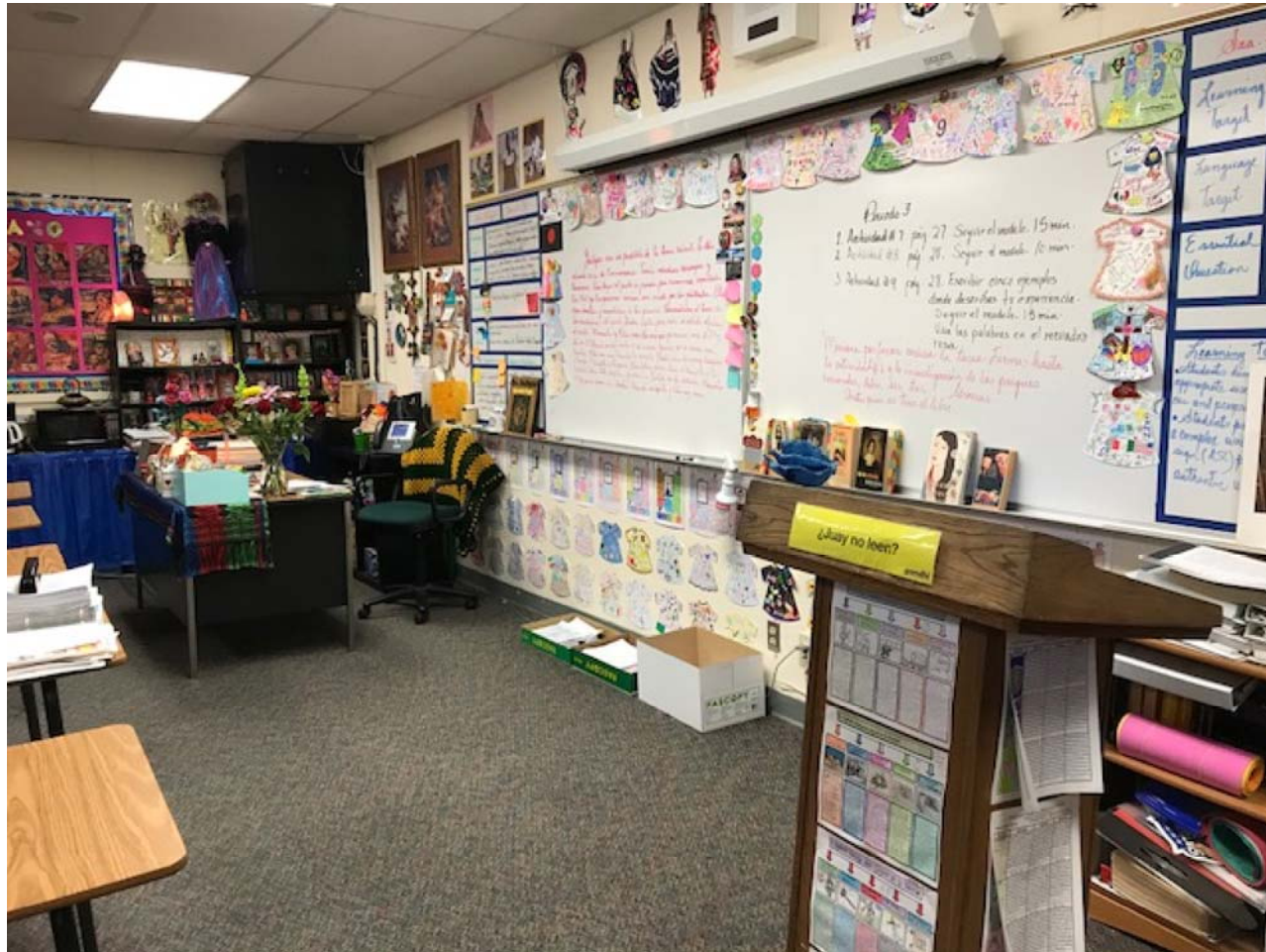










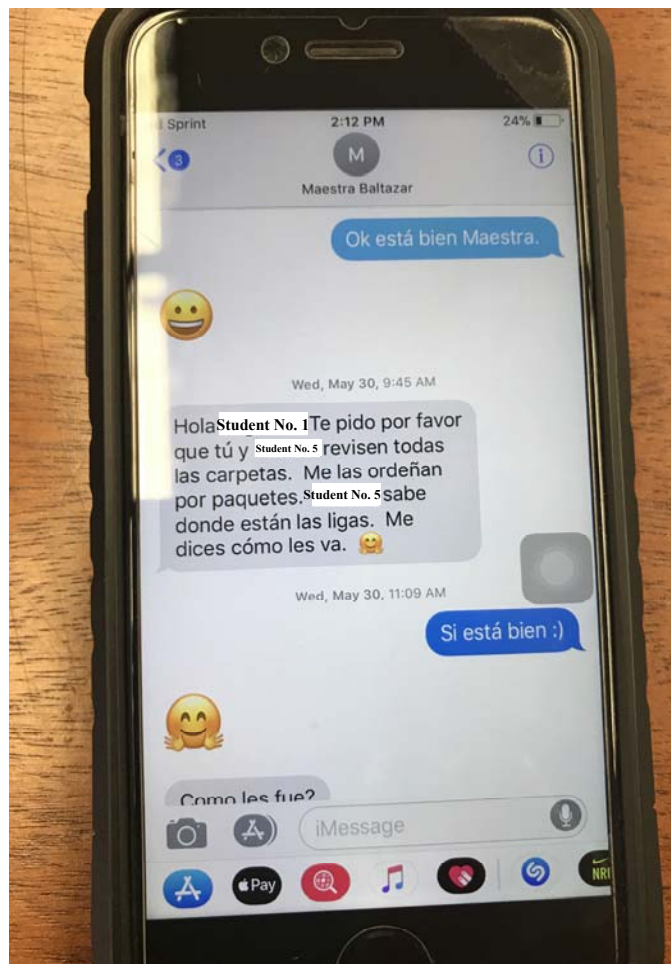










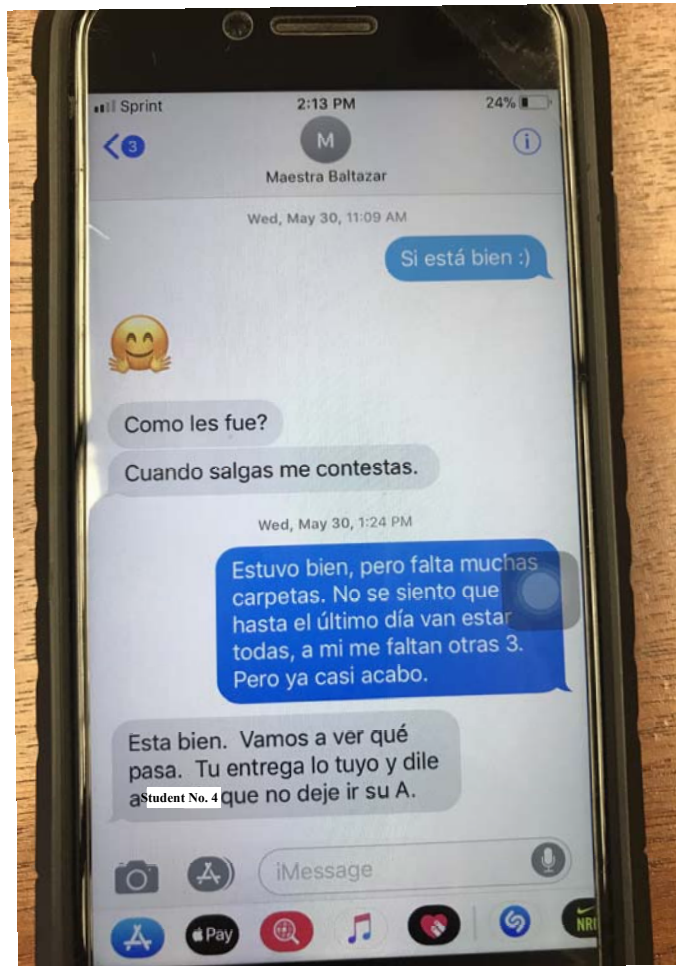


Wednesday, May 30th, at 9:45 AM:

Mrs. Baltazar: Hello Student No. 1! Can you and Student No. 5 please check the folders. I organized the packets. Student No. 5 knows where the rubber bands are. Tell me how many folders were turned in.

Wednesday, May 30, at 11:09 AM:

Student No. 1: Yes all right.



Wednesday, May 30th:

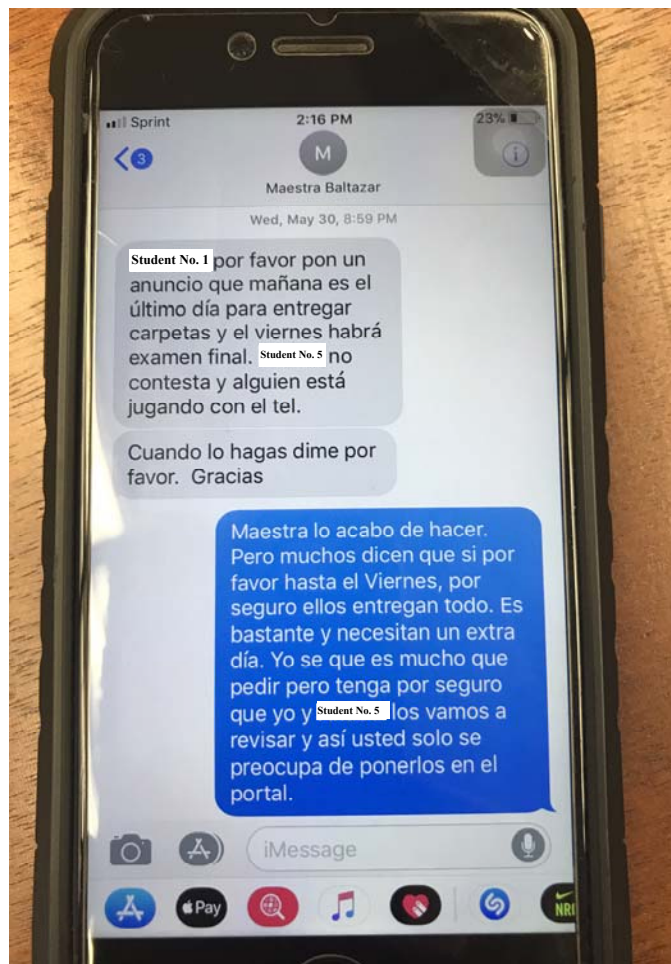
Mrs. Baltazar: How did it go?

When you leave, answer me.

Wednesday, May 30th, at 1:24PM:

Student No. 1: Everything is good, but many folders are missing. I think you will receive folders until the last day. I am missing another 3. But I am almost done.

Mrs. Baltazar: It is okay. Let's see what happens. You delivered yours and tell Student No. 4 not to let go of her A.



Wednesday, May 30th, at 8:59 PM:

Mrs. Baltazar: Student No. 1, please make an announcement that tomorrow is the last day to turn in folders and that there will be final exam on Friday. I am telling you this because Student No. 5 has not responded.

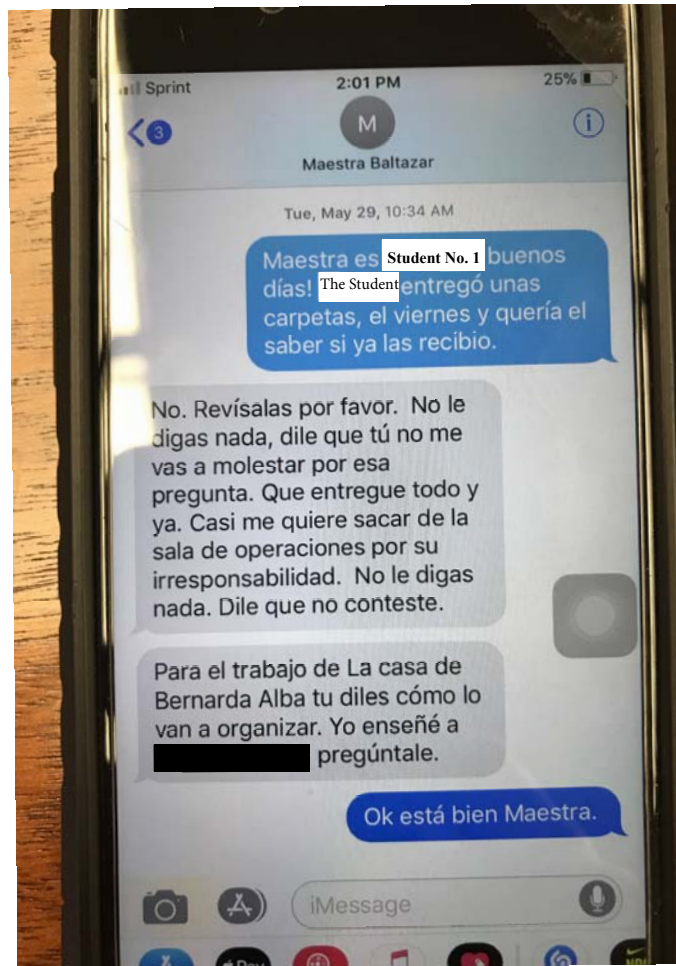
Please tell me when you make the announcement. Thank you.

Student No. 1: Teacher, I just did. But many of us are saying that they can submit everything if you give us until Friday. It is enough and they need an extra day. I know it's a lot to ask but me and Student No. 5 are going to review them so you can just only worry about putting them in the portal.



Wednesday, May 30th:

Mrs. Baltazar: Look at how sad this is. The finished grades as of yesterday.



Tuesday, May 29th, at 10:34 AM:

Student No. 1: Teacher it's Student No. 1, good morning! The Student turned in some folders on Friday and he wanted to know if you already received them.

Mrs. Baltazar: No. Please check them. Don't tell him anything, tell him you're not going to bother me with that question. To deliver everything and now. He almost wants to get me out of the operating room because of his irresponsibility. Don't say anything. Tell him not to answer.

For the work of the house of Bernarda Alba, tell them how they are going to organize it. I taught [redacted], ask her.

Student No. 1: ok sounds good Teacher.

Coachella Valley USD | BB 9200 Board Bylaws

Limits Of Board Member Authority

The Governing Board recognizes that the Board is the unit of authority over the district and that a Board member has no individual authority. Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9270 - Conflict of Interest)

(cf. 1160 - Political Processes)

(cf. 9323 - Meeting Conduct)

Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the Superintendent. Board members shall refer Board-related correspondence to the Superintendent for forwarding to the Board or for placement on the Board's agenda, as appropriate.

(cf. 1340 - Access to District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9322 - Agenda/Meeting Materials)

Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person with a complaint should refer the complainant to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate district process.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3320 - Claims and Actions Against the District)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

A Board member whose child is attending a district school should be aware of his/her role as a Board member when interacting with district employees about his/her child. Because his/her position as a Board member may inhibit the performance of school personnel, the Board member should inform the Superintendent or designee before volunteering in his/her child's classroom.

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall provide a copy of the state's open meetings laws (Brown Act) to each Board member and to anyone who is elected to the Board yet assumed office.

Board members and persons elected to the Board who have not yet assumed office are responsible for complying with the requirements of the state's open meeting laws.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

7054 Use of district property

35010 Control of district; prescription and enforcement of rules

35100-35351 Governing boards, especially:

35160-35184 Powers and duties

35291 Rules

35292 Visits to schools (Board members)

51101 Rights of parents/guardians

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body of a local agency

54952.7 Copies of chapter to members of legislative body

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

CSBA: <http://www.csba.org>

Bylaw COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

adopted: February 22, 2007 Thermal, California

Coachella Valley USD | BP 4119.21, 4219.21,4319.21 Personnel

Professional Standards

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the district's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

(cf. 0200 - Goals for the School District)

(cf. 4112.2 - Certification)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Staff Conduct with Students

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical

relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 4040 - Employee Use of Technology)

(cf. 5131 - Conduct)

(cf. 6163.4 - Student Use of Technology)

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Any employee who is found to have engaged in inappropriate conduct with a student in violation of the law or this policy shall be subject to disciplinary action.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of conduct for professional educators

Management Resources:

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Standards for School Leaders, 1996

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Council of Chief State School Officers: <http://www.ccsso.org>

Policy COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

adopted: February 24, 2011 Thermal, California